

No. 17, S.]

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CHAPTER 275

AN ACT to amend 49.07 (2), (4) and (5); and to create 49.07 (7) of the statutes, relating to the liability of relatives for the support of dependent persons.

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

SECTION 1. 49.07 (2), (4) and (5) of the statutes are amended to read:

49.07 (2) Upon failure of relatives so to do said authorities or board * * * shall submit to the district attorney a report of its findings, and upon receipt thereof the district attorney shall, within 60 days, apply to the county * * * court of the county in which such dependent person resides for an order to compel such maintenance. Upon such application said district attorney shall make a written report thereof to the county welfare department, with a copy to the chairman of the county board and to the department.

(4) The county * * * court shall in a summary way hear the allegations and proofs of the parties and by order require maintenance from such relatives, if of sufficient ability (having due regard for their own future maintenance and making reasonable allowance for the protection of the property and investments from which they derive their living and their care and protection in old age) in the following order: First the husband or wife; then the father; then the children and the county court may consider whether or not the parents have supported the children in the manner prescribed by law; and lastly the mother. Such order shall specify a sum which will be sufficient for the support of

such dependent person, to be paid weekly or monthly, during a period fixed therein, or until the further order of the court. If satisfied that any such relative is unable wholly to maintain such dependent person, but is able to contribute to his support, the * * * court may direct 2 or more such relatives to maintain him and prescribe the proportion each shall contribute and if satisfied that such relatives are unable together wholly to maintain such dependent person, but are able to contribute something therefor, the * * * court shall direct a sum to be paid weekly or monthly by each such relative in proportion to his ability. *Contributions directed by court order, if for less than full support, shall be paid to the county welfare agency and applied to the dependent person's grant.* Upon application of any party affected thereby and upon like notice and procedure, the * * * court may modify such order. Obedience to such order may be enforced by proceedings as for a contempt.

(5) Any party aggrieved by such order may appeal therefrom * * * but when the appeal is taken by the authorities having charge of the dependent person an undertaking need not be filed.

SECTION 2. 49.07 (7) of the statutes is created to read:

49.07 (7) When the income of a responsible relative is such that he would be expected to make a contribution to the support of the recipient and such recipient lives in the relative's home and requires care, a reasonable amount may be deducted from the expected contribution in exchange for the care provided.

Approved June 10, 1953.
