



State of Wisconsin
2017 - 2018 LEGISLATURE

January 2018 Special Session

LRB-5289/1
MPG:klm&wlj

SENATE BILL 4

January 26, 2018 - Introduced by COMMITTEE ON SENATE ORGANIZATION, Senators KAPENGA, CRAIG, DARLING, LEMAHIEU, NASS and WANGGAARD, cosponsored by Representatives VOS, FELZKOWSKI, THIESFELDT, JAGLER, SANFELIPPO, TUSLER, PETERSEN, DUCHOW, PETRYK, KUGLITSCH, TITTL, HORLACHER, KNODL, BRANDTJEN, MURPHY, SPIROS, WICHGERS, BERNIER, KRUG, KLEEFISCH, ROHRKASTE, KATSMA, BORN, KREMER and SWEARINGEN, by request of Governor Scott Walker. Referred to Committee on Public Benefits, Licensing and State-Federal Relations.

1 **AN ACT** *to create* 16.314 of the statutes; **relating to:** employment screening of
2 and employability plans for residents in public housing.

Analysis by the Legislative Reference Bureau

Under this bill, to the extent allowed under federal law, the Department of Administration shall require that public housing authorities do all of the following:

1. Conduct screening of adult residents to determine whether a resident is able-bodied and either unemployed or underemployed.
2. Create an employability plan for each resident the housing authority determines is able-bodied and either unemployed or underemployed and require the resident to participate in the plan.
3. Require each resident the housing authority determines is able-bodied and either unemployed or underemployed to complete a questionnaire or other screening instrument concerning the abuse of controlled substances. If, on the basis of screening results, the housing authority determines that there is a reasonable suspicion that a resident is abusing a controlled substance, the housing authority must require the resident to undergo a test for the use of a controlled substance. If a resident tests positive for the use of a controlled substance, the housing authority must offer the resident the opportunity to participate in substance abuse treatment unless the resident has a valid prescription for the controlled substance.

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:

1 **SECTION 1.** 16.314 of the statutes is created to read:

2 **16.314 Employability plans for public housing residents. (1)** In this
3 section:

4 (a) “Controlled substance” has the meaning given in s. 961.01 (4).

5 (b) “Controlled substance abuse screening” means a questionnaire, a criminal
6 background check, or any other controlled substance abuse screening mechanism
7 identified by the department.

8 **(2)** To the extent allowed under federal law, the department shall require that
9 each housing authority do all of the following:

10 (a) Conduct screening to determine whether each adult resident in public
11 housing administered by the housing authority is able-bodied and either
12 unemployed or underemployed.

13 (b) For each resident the housing authority determines under par. (a) is
14 able-bodied and either unemployed or underemployed, create an employability plan
15 for the resident and require the resident to participate in the plan.

16 (c) 1. For each resident the housing authority determines under par. (a) is
17 able-bodied and either unemployed or underemployed, require the resident to
18 complete a controlled substance abuse screening. If, on the basis of the controlled
19 substance abuse screening results, the housing authority determines that there is
20 a reasonable suspicion that the resident is abusing a controlled substance, the

1 housing authority shall require the resident to undergo a test for the use of a
2 controlled substance.

3 2. If a resident who undergoes a test under subd. 1. tests positive for the use
4 of a controlled substance without presenting evidence satisfactory to the housing
5 authority that the resident possesses a valid prescription for each controlled
6 substance for which he or she tests positive, the housing authority shall offer the
7 resident the opportunity to participate in substance abuse treatment.

8 (END)