



1995 ASSEMBLY BILL 647

October 27, 1995 - Introduced by Representatives HARSDF, ALBERS, JENSEN, FREESE, GOETSCH, BALDUS, WIRCH, AINSWORTH, OWENS, SERATTI, GUNDERSON, BOCK and PLOMBON, cosponsored by Senators DARLING and BRESKE. Referred to Committee on Children and Families.

1 **AN ACT to amend** 48.975 (2) and 48.975 (4) of the statutes; **relating to:** adoption
2 assistance.

Analysis by the Legislative Reference Bureau

Under current law, the department of health and social services (DHSS) provides adoption assistance to the adoptive parents or proposed adoptive parents of a child who is in the guardianship of DHSS, an American Indian tribal agency or an agency authorized to place children for adoption at the time of the adoption if DHSS determines that adoption assistance is necessary to ensure the child's adoption. Currently, DHSS and the proposed adoptive parents must enter into an agreement for the adoption assistance prior to legal adoption of the child. This bill removes the requirement that the child be in the guardianship of DHSS, an American Indian Tribal agency or an agency authorized to place children for adoption at the time of adoption so that the adoptive or proposed adoptive parent of any child who needs assistance to ensure that the child is adopted may receive adoption assistance. The bill, however, prohibits DHSS from providing adoption assistance in the case of a stepparent adoption. Finally, the bill permits an adoption assistance agreement to be made not only before the legal adoption, but also within one year after the child is placed for adoption.

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:

3 **SECTION 1.** 48.975 (2) of the statutes is amended to read:
4 48.975 (2) **APPLICABILITY.** The department may provide adoption assistance
5 only when it has determined that such assistance is necessary to assure ensure the

SECTION 1

1 child's adoption. The department may not provide adoption assistance for a child
2 who has been adopted or who is proposed to be adopted by the child's stepparent.

3 **SECTION 2.** 48.975 (4) of the statutes is amended to read:

4 48.975 (4) PROCEDURE. A written agreement to provide adoption assistance
5 shall be made prior to legal adoption ~~only for children in the guardianship of the~~
6 ~~department or other agency authorized to place children for adoption or for children~~
7 ~~in the guardianship of an American Indian tribal agency in this state~~ or within one
8 year after the child has been placed for adoption with the adoptive or proposed
9 adoptive parents. The adoption assistance may be continued after the child reaches
10 the age of 18 if that child is a full-time high school student.

11 (END)