



1995 ASSEMBLY BILL 875

February 13, 1996 – Introduced by Representatives SERATTI, MUSSER, ALBERS, GOETSCH, FREESE, OTTE and GROTHMAN. Referred to Committee on Children and Families.

1 **AN ACT to amend** 48.371 (intro.) and 938.371 (intro.); and **to create** 48.371 (4)
2 and 938.371 (4) of the statutes; **relating to:** access by a child's substitute care
3 provider to information relating to any involvement of the child, whether as
4 victim or perpetrator, in the worshipping of Satan or in sexual abuse.

Analysis by the Legislative Reference Bureau

Under current law, at the time of placement of a child in a foster home, group home or child caring institution or within 30 days after the date of placement, if the information is not available at the time of placement, the agency that prepared the child's permanency plan must provide the foster parent or operator of the group home or child caring institution with any information in the child's court report or permanency plan relating to any of the following:

1. Human immunodeficiency virus (HIV) test results, if the child's parent or guardian has consented to that test and to the release of those test results.
2. Viral hepatitis, type B, test results.
3. Findings or opinions of the court assigned to exercise jurisdiction under the children's code (juvenile court) or of the agency that prepared the child's court report or permanency plan relating to any mental, emotional, cognitive, developmental or behavioral disability of the child.

This bill requires the agency that prepared a child's permanency plan to disclose to the child's foster parent or treatment foster parent or to the operator of the group home or child caring institution in which the child is placed, at the time of placement or, if the information is not available at the time of placement, within 30 days after the placement, findings or opinions of the juvenile court or of the agency that prepared the child's court report or permanency plan relating to any involvement of the child, whether as victim or perpetrator, in the worshipping of Satan or in unlawful sexual intercourse or sexual contact, prostitution, sexual exploitation of a child or forced viewing or listening to sexual activity.

For further information see the *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.** 48.371 (intro.) of the statutes is amended to read:

2 **48.371 Access to certain information by substitute care provider.**

3 (intro.) At the time of placement of a child in a foster home, treatment foster home,
4 group home or child caring institution under s. 48.345 or 48.357, or, if the information
5 specified in this section is not available at that time, within 30 days after the date
6 of the placement, the agency that prepared the child's permanency plan shall provide
7 the foster parent, treatment foster parent or operator of the group home or child
8 caring institution with any information contained in the court report submitted
9 under s. 48.33 or permanency plan submitted under s. 48.38, relating to any of the
10 following:

11 **SECTION 2.** 48.371 (4) of the statutes is created to read:

12 **48.371 (4)** Findings or opinions of the court or agency relating to any
13 involvement of the child, whether as victim or perpetrator, in the worshipping of
14 Satan or in sexual intercourse or sexual contact in violation of s. 940.225, 948.02 or
15 948.025, prostitution in violation of s. 944.30, sexual exploitation of a child in
16 violation of s. 948.05 or causing a child to view or listen to sexual activity in violation
17 of s. 948.055. The foster parent, treatment foster parent or operator of a group home
18 or child caring institution receiving information under this subsection shall keep the
19 information confidential.

20 **SECTION 3.** 938.371 (intro.) of the statutes, as created by 1995 Wisconsin Act
21 77, is amended to read:

938.371 Access to certain information by substitute care provider.

(intro.) At the time of placement of a juvenile in a foster home, treatment foster home, group home or child caring institution under s. 938.183 (2), 938.34, 938.345 or 938.357, or, if the information specified in this section is not available at that time, within 30 days after the date of the placement, the agency that prepared the juvenile's permanency plan shall provide the foster parent, treatment foster parent or operator of the group home or child caring institution with any information contained in the court report submitted under s. 938.33 or permanency plan submitted under s. 938.38, relating to any of the following:

SECTION 4. 938.371 (4) of the statutes is created to read:

938.371 (4) Findings or opinions of the court or agency relating to any involvement of the child, whether as victim or perpetrator, in the worshipping of Satan or in sexual intercourse or sexual contact in violation of s. 940.225, 948.02 or 948.025, prostitution in violation of s. 944.30, sexual exploitation of a child in violation of s. 948.05 or causing a child to view or listen to sexual activity in violation of s. 948.055. The foster parent, treatment foster parent or operator of a group home or child caring institution receiving information under this subsection shall keep the information confidential.

SECTION 5. Initial applicability.

(1) This act first applies to a child who is placed in a foster home, treatment foster home, group home or child caring institution on the effective date of this subsection.

SECTION 6. Effective date.

