

1999 Assembly Bill 587

Date of enactment:
Date of publication*:

1999 WISCONSIN ACT

AN ACT to amend 48.57 (3m) (a) and 48.57 (3n) (a) of the statutes; relating to: eligibility of second cousins for payments under the kinship care and long-term kinship care programs.

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

PREFATORY NOTE: This bill was prepared for the American Indian study committee (AISC).

Under current law, if certain conditions are met, a county department of social services, a county department of human services or, in Milwaukee county, the department of health and family services, must make payments to certain relatives, other than a child's parents, who provide care and maintenance for the child (kinship care program and long-term kinship care program). For a description of the kinship care program and the long-term kinship care program, see memo no. 98-14 to the AISC, *Definition of "Relative" Under the Kinship Care Program and Long-Term Kinship Care Program; and Funding for Assessments Under the Kinship Care Program* (September 17, 1999).

Currently, for purposes of eligibility for payments under the kinship care and long-term kinship care programs, "kinship care relative" and "long-term kinship care relative" are defined to mean a stepparent, brother, sister, stepbrother, stepsister, first cousin, nephew, niece, aunt, uncle or any person of a preceding generation as denoted by the prefix of grand, great or great-great, whether by consanguinity, direct affinity or legal adoption, or the spouse of any of these persons, even if the marriage is terminated by death or divorce.

This bill adds second cousins to the list of persons who are defined as a kinship care relative or a long-term kinship

care relative and, thus, permits a second cousin of a child to receive payments for providing care and maintenance for the child under the kinship care and long-term kinship care programs.

SECTION 1. 48.57 (3m) (a) of the statutes is amended to read:

48.57 (3m) (a) In this subsection, "kinship care relative" means a stepparent, brother, sister, stepbrother, stepsister, first cousin, 2nd cousin, nephew, niece, aunt, uncle or any person of a preceding generation as denoted by the prefix of grand, great or great-great, whether by consanguinity, direct affinity or legal adoption, or the spouse of any person named in this paragraph, even if the marriage is terminated by death or divorce.

SECTION 2. 48.57 (3n) (a) of the statutes is amended to read:

48.57 (3n) (a) In this subsection, "long-term kinship care relative" means a stepparent, brother, sister, stepbrother, stepsister, first cousin, 2nd cousin, nephew, niece, aunt, uncle or any person of a preceding generation as denoted by the prefix of grand, great or great-great, whether by consanguinity, direct affinity or legal adoption, or the spouse of any person named in this paragraph, even if the marriage is terminated by death or divorce.

* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].