



1 46.48 (6) CAREER YOUTH DEVELOPMENT CENTER. The department shall distribute
2 ~~\$110,000~~ \$80,000 in each fiscal year to the career youth development center in the
3 city of Milwaukee. ~~Of these amounts, \$80,000 shall be distributed in each fiscal year~~
4 for the operation of a minority youth substance abuse treatment program and
5 ~~\$30,000 shall be distributed in each fiscal year for drug prevention programs for high~~
6 school athletes in the Milwaukee public school system.

7 **SECTION 1095.** 46.48 (9) of the statutes is renumbered 46.481 (2).

8 **SECTION 1096.** 46.48 (27) of the statutes is renumbered 46.481 (3) and amended
9 to read:

10 46.481 (3) GRANTS TO RUNAWAY PROGRAMS. The department shall distribute
11 ~~\$100,000~~ \$50,000 in each fiscal year as grants to programs that provide services for
12 runaways runaway children.

13 **SECTION 1097.** 46.48 (28) of the statutes is renumbered 46.481 (4).

14 **SECTION 1098.** 46.48 (29) of the statutes is amended to read:

15 46.48 (29) ARC COMMUNITY SERVICES, INC. The department shall distribute
16 ~~\$87,500 in fiscal year 1997-98 and \$175,000 in each fiscal year 1998-99~~ to ARC
17 Community Services, Inc., for a program to provide substance abuse day treatment
18 services for pregnant and postpartum women and their infants.

19 **SECTION 1098m.** 46.48 (30) of the statutes is created to read:

20 46.48 (30) SUBSTANCE ABUSE TREATMENT GRANTS. (a) From the appropriation
21 under s. 20.435 (7) (bc), the department shall distribute grants on a competitive basis
22 to county departments of social services and to private nonprofit organizations, as
23 defined in s. 103.21 (2), for the provision of alcohol and other drug abuse treatment
24 services in counties with a population of 500,000 or more. Grants distributed under
25 this subsection may be used only to provide treatment for alcohol and other drug

1 abuse to individuals who are eligible for federal temporary assistance for needy
2 families under 42 USC 601 et. seq. and who have a family income of not more than
3 200% of the poverty line, as defined in s. 49.001 (5).

4 (b) Notwithstanding par. (a), the department may distribute grants under par.
5 (a) only to the extent that the distribution meets the maintenance-of-effort
6 requirement under the federal temporary assistance for needy families program
7 under 42 USC 601 et. seq.

8 **SECTION 1099.** 46.481 (intro.) of the statutes is created to read:

9 **46.481 Grants for children's community programs.** (intro.) From the
10 appropriation under s. 20.435 (3) (bc), the department shall distribute the following
11 grants for children's community programs:

12 **SECTION 1099g.** 46.481 (5) of the statutes is created to read:

13 **46.481 (5) HEALTHY FAMILIES PROGRAM.** The department shall distribute
14 \$100,000 in each fiscal year to Kenosha Area Family and Aging Services, Inc., for the
15 provision of home visiting services for mothers who are under 18 years of age under
16 that organization's healthy families program.

17 **SECTION 1099m.** 46.481 (6) of the statutes is created to read:

18 **46.481 (6) CHILDREN'S SAFE HOUSE CHILD CARE PROGRAM.** The department shall
19 distribute \$50,000 in each fiscal year to the children's safe house child care program
20 in Kenosha County for the operation of that program.

21 **SECTION 1100.** 46.485 (2g) (intro.) of the statutes is amended to read:

22 **46.485 (2g)** (intro.) From the appropriation under s. 20.435 (5) (4) (b), the
23 department may in each fiscal year transfer funds to the appropriation under s.
24 20.435 (7) (kb) for distribution under this section and from the appropriation under
25 s. 20.435 (7) (mb) the department may not distribute more than \$1,330,500 in each

1 fiscal year to applying counties in this state that meet all of the following
2 requirements, as determined by the department:

3 **SECTION 1101.** 46.485 (3r) of the statutes is amended to read:

4 46.485 (3r) Funds that a county does not encumber before 24 months after
5 June 30 of the fiscal year in which the funds were distributed under sub. (2g) lapse
6 to the appropriation under s. 20.435 ~~(5)~~ (4) (b).

7 **SECTION 1103.** 46.495 (1) (d) of the statutes is amended to read:

8 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw)
9 and (o), the department shall distribute the funding for social services, including
10 funding for foster care or treatment foster care of a child on whose behalf aid is
11 received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23
12 as provided under s. 46.40. County matching funds are required for the distributions
13 under s. 46.40 (2) ~~and~~, (8) and (9) (b). Each county's required match for the
14 distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the
15 county's distributions under s. 46.40 (2) and (8) for that year for which matching
16 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
17 stats., to spend for juvenile delinquency-related services from its distribution for
18 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a
19 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
20 that year. Matching funds may be from county tax levies, federal and state revenue
21 sharing funds or private donations to the county that meet the requirements
22 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
23 match. If the county match is less than the amount required to generate the full
24 amount of state and federal funds distributed for this period, the decrease in the

1 amount of state and federal funds equals the difference between the required and the
2 actual amount of county matching funds.

3 **SECTION 1104g.** 46.513 of the statutes is created to read:

4 **46.513 Services for children and families.** From the appropriation under
5 s. 20.435 (3) (bm), the department shall distribute grants to counties in each fiscal
6 year to fund services for children and families. The department shall determine the
7 amount of a county's grant under this section based on the county's proportion of the
8 state's population as last estimated by the department of administration under s.
9 16.96. The department of health and family services shall distribute the grants
10 under this section in the calendar year after the calendar year in which the amount
11 available for those grants is certified by the department of revenue under s. 77.63 (2).

12 **SECTION 1105.** 46.70 (2) of the statutes is amended to read:

13 46.70 (2) From the appropriations under s. 20.435 (7) (~~dL~~) (kL) and (o), the
14 department may make available to any of the 11 federally recognized tribal
15 governing bodies in this state funds for the purposes stated in sub. (1). Beginning
16 July 1, 1991, and ending September 30, 1991, the department may award to each
17 tribal governing body up to \$6,800. Beginning October 1, 1991, and ending
18 September 30, 1992, the department may award to each tribal governing body up to
19 \$27,200. Beginning October 1, 1992, and ending June 30, 1993, the department may
20 award to each tribal governing body up to \$20,400. Receipt of funds is contingent
21 upon department approval of an application submitted by a tribal governing body.
22 The department may partially approve any application and provide only part of the
23 funds requested. Each application shall contain a plan for expenditure of funds,
24 consistent with the purposes stated in sub. (1).

25 **SECTION 1106.** 46.71 (1) (intro.) of the statutes is amended to read:

1 46.71 (1) (intro.) From the appropriation under s. 20.435 (7) (~~dm~~) (km), the
2 department shall, for the development of new drug abuse prevention, treatment and
3 education programs that are culturally specific with respect to American Indians or
4 to supplement like existing programs, allocate a total of not more than \$500,000 in
5 each fiscal year to all the elected governing bodies of federally recognized American
6 Indian tribes or bands that submit to the department plans, approved by the
7 department, that do all of the following:

8 **SECTION 1107.** 46.71 (2) of the statutes is amended to read:

9 46.71 (2) The amount of funds allocated by the department under sub. (1) may
10 not exceed the amounts appropriated under s. 20.435 (7) (~~dm~~) (km).

11 **SECTION 1108.** 46.715 of the statutes is repealed.

12 **SECTION 1109.** 46.76 (3) of the statutes is repealed.

13 **SECTION 1110.** 46.765 of the statutes is repealed.

14 **SECTION 1111.** 46.81 (2) of the statutes is amended to read:

15 46.81 (2) From the appropriation under s. 20.435 (7) (~~dj~~) (dh), the department
16 shall allocate \$2,298,400 in each fiscal year to aging units to provide benefit
17 specialist services for older individuals. The department shall ensure that each
18 aging unit receives funds and shall take into account the proportion of the state's
19 population of low-income older individuals who reside in a county.

20 **SECTION 1112.** 46.81 (5) of the statutes is amended to read:

21 46.81 (5) From the appropriation under s. 20.435 (7) (~~dj~~) (dh) the department
22 shall allocate \$182,500 in each fiscal year to area agencies on aging. Each area
23 agency on aging shall use the funds for training, supervision and legal back-up
24 services for benefit specialists within its area.

25 **SECTION 1113.** 46.82 (3) (a) 19. of the statutes is created to read:

1 46.82 (3) (a) 19. If an aging unit under sub. (1) (a) 1. or 2. and if authorized
2 under s. 46.283 (1) (a) 1., apply to the department to operate a resource center under
3 s. 46.283 and, if the department contracts with the county under s. 46.283 (2), operate
4 the resource center.

5 **SECTION 1114.** 46.82 (3) (a) 20. of the statutes is created to read:

6 46.82 (3) (a) 20. If an aging unit under sub. (1) (a) 1. or 2. and if authorized
7 under s. 46.284 (1) (a) 1., apply to the department to operate a care management
8 organization under s. 46.284 and, if the department contracts with the county under
9 s. 46.284 (2), operate the care management organization and, if appropriate, place
10 funds in a risk reserve.

11 **SECTION 1115.** 46.856 of the statutes is renumbered 46.856 (2), and 46.856 (2)
12 (intro.), as renumbered, is amended to read:

13 46.856 (2) (intro.) From the appropriation under s. 20.435 (7) (bg), the
14 department shall award a grant to at least one public agency or private nonprofit
15 organization, as defined in s. 108.02 (19), to do all of the following:

16 **SECTION 1116.** 46.856 (1) of the statutes is created to read:

17 46.856 (1) In this section:

18 (a) "Private nonprofit organization" has the meaning given in s. 108.02 (19).

19 (b) "Public agency" means a county, city, village, town or school district or an
20 agency of this state or of a county, city, village, town or school district.

21 **SECTION 1117.** 46.86 (1) of the statutes is amended to read:

22 46.86 (1) From the appropriation under s. ~~20.435 (7) (cp) and (md)~~, the
23 ~~department may award funds and from the appropriation~~ under s. 20.435 (7) (md)
24 the department may award not more than \$125,500 in each fiscal year as grants to
25 counties and private nonprofit entities for treatment for pregnant women and

1 mothers with alcohol and other drug abuse treatment needs; mothers who have
2 alcohol and other drug abuse treatment needs and dependent children up to the age
3 of 5 years; and the dependent children up to the age of 5 years of those mothers. The
4 grants shall be awarded in accordance with the department's request-for-proposal
5 procedures. The grants shall be used to establish community-based programs,
6 residential family-centered treatment programs or home-based treatment
7 programs. The program under a grant must include alcohol and other drug abuse
8 treatment services, parent education, support services for the children of the women
9 who are enrolled in the program, vocational assistance and housing assistance. Any
10 program funded under this subsection must also provide follow-up aftercare
11 services to each woman and her children for at least 2 years after the date on which
12 a woman has left the program.

13 **SECTION 1118.** 46.86 (5) of the statutes is amended to read:

14 46.86 (5) From the appropriation under s. 20.435 (7) (md), the department may
15 not distribute more than ~~\$35,000~~ \$235,000 in each fiscal year as a grant to ~~the ARC~~
16 ~~community services center~~ Community Services, Inc., for women and children in
17 ~~Dane county, to address a projected operation deficit of the center;~~ County, to provide
18 ~~additional funding for staff of the center and~~ transportation and meal expenses for
19 ~~chemically dependent women who receive services from the center; and to provide~~
20 ~~additional funding for staff of the center.~~

21 **SECTION 1119.** 46.86 (6) of the statutes is created to read:

22 46.86 (6) (a) From the appropriation under s. 20.435 (7) (md), the department
23 may award not more than \$1,167,900 in each fiscal year as grants to counties and
24 private entities to provide community-based alcohol and other drug abuse
25 treatment programs that do all of the following:

1 1. Meet special needs of women with problems resulting from alcohol or other
2 drug abuse.

3 2. Emphasize parent education, vocational and housing assistance and
4 coordination with other community programs and with treatment under intensive
5 care.

6 (b) The department shall do all of the following with respect to the grants under
7 par. (a):

8 1. Award the grants in accordance with the department's request-for-proposal
9 procedures.

10 2. Ensure that the grants are distributed in both urban and rural communities.

11 3. Evaluate the programs under the grants by use of client-outcome
12 measurements that the department develops.

13 **SECTION 1120.** 46.93 (2) (intro.) of the statutes is amended to read:

14 46.93 (2) PURPOSE; ALLOCATION. (intro.) From the appropriation under s. 20.434
15 (1) ~~(b)~~ (ky), the board shall award not more than \$439,300 in each of fiscal years
16 ~~1997-98 and 1998-99~~ year for grants to organizations to provide adolescent
17 pregnancy prevention programs or pregnancy services that include health care,
18 education, counseling and vocational training. Types of services and programs that
19 are eligible for grants include all of the following:

20 **SECTION 1120c.** 46.95 (2) (a) of the statutes is amended to read:

21 46.95 (2) (a) The secretary shall make grants from the appropriations under
22 s. 20.435 (3) (cd) ~~and~~, (hh) and (km) to organizations for the provision of any of the
23 services specified in sub. (1) (d). Grants may be made to organizations which have
24 provided those domestic abuse services in the past or to organizations which propose

1 to provide those services in the future. No grant may be made to fund services for
2 child or unborn child abuse or abuse of elderly persons.

3 **SECTION 1120g.** 46.95 (2) (f) (intro.) of the statutes is amended to read:

4 46.95 (2) (f) (intro.) From the appropriations under s. 20.435 (3) (cd) ~~and~~, (hh)
5 and (km), the department shall do all of the following:

6 **SECTION 1120m.** 46.95 (2) (f) 7. of the statutes is created to read:

7 46.95 (2) (f) 7. Award a grant of \$25,000 in each fiscal year to each of 30
8 organizations to enhance support services. Funding may be used for such purposes
9 as case management; children's programming; assisting victims of domestic abuse
10 to find employment; and training in and activities promoting self-sufficiency.

11 **SECTION 1120n.** 46.95 (2) (f) 8. of the statutes is created to read:

12 46.95 (2) (f) 8. Award \$200,000 in grants in each fiscal year to organizations
13 for domestic abuse services for individuals who are members of underserved
14 populations, including racial minority group members and individuals with mental
15 illness or developmental disabilities. A grant to an organization may not exceed
16 \$60,000.

17 **SECTION 1120p.** 46.95 (2) (f) 9. of the statutes is created to read:

18 46.95 (2) (f) 9. Award a grant of \$25,000 in fiscal year 1999–2000 and a grant
19 of \$50,000 in each fiscal year thereafter to the Wisconsin Coalition Against Domestic
20 Violence for the cost of a staff person to provide assistance in obtaining legal services
21 to domestic abuse victims.

22 **SECTION 1120r.** 46.95 (2) (g) of the statutes is created to read:

23 46.95 (2) (g) Grants made and moneys expended under this subsection from the
24 appropriation under s. 20.435 (3) (km) may be used only for the benefit of individuals

1 whose family incomes do not exceed 250% of the poverty line, as defined in s. 49.001
2 (5).

3 **SECTION 1121g.** 46.986 of the statutes is created to read:

4 **46.986 Respite care program. (1) DEFINITIONS.** In this section:

5 (a) "Abuse" means the wilful infliction on a person of physical pain or injury or
6 unreasonable confinement.

7 (b) "Caregiver" means an individual who lives in the home of a person with
8 special needs and provides care or supervision for that person.

9 (c) "County department" means a county department under s. 46.215, 46.22,
10 46.23, 51.42 or 51.437.

11 (d) "Neglect" means an act, omission or course of conduct that, because of the
12 failure to provide adequate food, shelter, clothing, medical care or dental care,
13 creates a significant danger to the physical and mental health of a person.

14 (e) "Provider" means an individual or agency that a caregiver selects, with
15 input to the selection by the person with special needs, if competent, to provide
16 respite care to the person with special needs.

17 (f) "Respite care" means care that is provided to a person with special needs,
18 or a person at risk of abuse or neglect, in order to provide temporary relief to the
19 caregiver of that person or when the caregiver is unable to provide care.

20 (g) "Special need" means a person's need resulting from an emotional,
21 behavioral, cognitive, physical or personal condition that necessitates receipt of care
22 or supervision in order to meet the person's basic needs or to prevent harm from
23 occurring to him or her.

24 (h) "Tribe or band" means the governing body of a federally recognized
25 American Indian tribe or band in this state.

1 (2) PROGRAM. (a) From the appropriation account under s. 20.435 (7) (br), the
2 department shall contract for the administration of life-span respite care projects
3 with an organization to which all of the following apply:

4 1. The organization is a private, nonprofit organization, as defined in s. 108.02
5 (19), that is capable of operating on a statewide basis and has expertise in respite
6 care issues.

7 2. At least 51% of the members of the organization's governing board are
8 consumers of respite care or caregivers.

9 3. The membership of the organization's governing board includes providers
10 and elected officials and represents the diverse geographical areas and cultural
11 groups of the state.

12 (b) The organization with which the department contracts under par. (a) shall
13 do all of the following:

14 1. After consulting with the department, county departments, tribes or bands,
15 providers and caregivers, prescribe criteria for the distribution of grants to conduct
16 life-span respite care projects. The criteria shall include the requirement that grant
17 funds be equally distributed among 5 administrative regions of the state, as
18 prescribed by the department.

19 2. Solicit applications from and, using the criteria under subd. 1., award in the
20 1999-2001 state fiscal biennium up to one grant in each of the 5 administrative
21 regions prescribed by the department to any of the following to conduct a life-span
22 respite care project:

23 a. A county department.

24 b. A tribe or band.

25 c. A community-based private, nonprofit entity.

1 d. A community-based private entity that is operated for profit.

2 3. Require that the grantee contribute matching funds to the operation of the
3 life-span respite care project in the following amounts:

4 a. Ten percent of the amount of the grant awarded by the organization, as direct
5 services, which shall be used by the grantee to fund payments from caregivers to
6 providers.

7 b. Fifteen percent of the amount of the grant awarded by the organization, as
8 in-kind services.

9 4. Oversee grants awarded under subd. 2., and monitor, provide technical
10 assistance to and evaluate the life-span respite care projects.

11 5. Develop best practice guidelines and a training curriculum that may be used
12 by life-span respite care projects that are funded under this section and that may be
13 used, if appropriate, by any other respite care providers in the state.

14 6. Promote the exchange of information and coordination among the state, local
15 governments, life-span respite care projects, entities serving persons with special
16 needs, families of persons with special needs and persons in favor of the promotion
17 of respite care services, to encourage the efficient provision of respite care services.

18 7. Act as a statewide clearinghouse of information about respite care and
19 existing respite care programs and resources and operate a library of materials that
20 may be lent to persons or organizations upon request.

21 8. Conduct analyses of respite care policies and proposals, and identify and
22 promote resolution of respite care policy concerns at legislative, state and local levels.

23 **(3) GRANTS NOT TO SUPPLANT OTHER MONEYS.** Moneys awarded as grants under
24 sub. (2) (b) may not be used to supplant moneys otherwise available and, prior to
25 receipt of the grant, dedicated by the grantee to respite care.

1 **(4) LIFE-SPAN RESPITE CARE PROJECT REQUIREMENTS.** Life-span respite care
2 projects for which a grant is awarded under sub. (2) (b) 2. shall do all of the following:

3 (a) Operate in a culturally competent manner and be sensitive to the unique
4 needs and strengths of a person with special needs and his or her family or caregiver.

5 (b) Identify, coordinate and develop resources for respite care that are built, to
6 the extent possible, on existing community support services.

7 (c) Recruit and screen providers.

8 (d) Identify training resources and organize training programs for providers
9 that address different populations in need of respite care.

10 (e) Facilitate access by caregivers and families of persons with special needs
11 to an array of respite care service options for which the person with special needs is
12 eligible, that are responsive to caregiver and family needs and that are available
13 before families and primary caregivers reach a crisis situation.

14 (f) Assist caregivers and families of persons with special needs to identify and
15 coordinate funds and resources available for respite care for which the person with
16 special needs is eligible, and authorize and provide a variety of funds and resources
17 to make available additional respite care services for persons with special needs,
18 under eligibility criteria established by the project.

19 **(5) ADVISORY COMMITTEES.** Each grantee of moneys to conduct a life-span
20 respite care project under sub. (2) shall create an advisory committee that shall
21 advise the project on how the project may best serve persons with special needs and
22 their caregivers. Consumers of respite care services and caregivers shall comprise
23 at least 51% of the advisory committee membership and shall be representative of
24 the diversity of persons who receive services under the project. Other members shall

1 include providers, representatives of local service agencies and members of the
2 community.

3 (6) By June 1, 2004, the department and the organization with which the
4 department contracts under sub. (2) (a) shall together evaluate the life-span respite
5 care projects that are conducted under this section. If, following the evaluation, the
6 department and the organization together determine that it is feasible to integrate
7 the life-span respite care projects with any integrated, organized system of
8 long-term care services that is operated by the department, the department shall,
9 by July 1, 2004, provide to the department of administration statutory language that
10 is proposed for inclusion in the 2005-07 biennial budget bill to effect the integration.

11 **SECTION 1122.** 46.99 of the statutes is created to read:

12 **46.99 Brighter futures initiative. (1) DEFINITIONS.** In this section:

13 (a) "Nonprofit corporation" means a nonstock, nonprofit corporation organized
14 under ch. 181.

15 (b) "Public agency" means a county, city, village, town or school district or an
16 agency of this state or of a county, city, village, town or school district.

17 (2) **AWARDING OF GRANTS.** (a) From the appropriations under s. 20.435 (3) (eg),
18 (km) and (nL), the department, beginning on January 1, 2001, shall distribute
19 \$2,125,200 in each fiscal year to applying nonprofit corporations and public agencies
20 operating in a county having a population of 500,000 or more and \$1,229,300 in each
21 fiscal year to applying county departments under s. 46.22, 46.23, 51.42 or 51.437
22 operating in counties other than a county having a population of 500,000 or more to
23 provide programs to accomplish all of the following:

24 1. Prevent and reduce the incidence of youth violence and other delinquent
25 behavior.

1 2. Prevent and reduce the incidence of youth alcohol and other drug use and
2 abuse.

3 3. Prevent and reduce the incidence of child abuse and neglect.

4 4. Prevent and reduce the incidence of nonmarital pregnancy and increase the
5 use of abstinence as a method of preventing nonmarital pregnancy.

6 5. Increase adolescent self-sufficiency by encouraging high school graduation,
7 vocational preparedness, improved social and other interpersonal skills and
8 responsible decision making.

9 (b) A nonprofit corporation or public agency that is applying for a grant under
10 par. (a) shall provide to the department a proposed service plan for the use of the
11 grant moneys. If the department approves the service plan, the department may
12 award the grant. The department shall award the grants on a competitive basis and
13 for a 3-year period.

14 **(3) OUTCOMES EXPECTED.** (a) The department shall provide a set of benchmark
15 indicators to measure the outcomes that are expected of a program funded under sub.
16 (2) (a). Those benchmark indicators shall measure all of the following among youth
17 who have participated in a program funded under sub. (2) (a):

18 1. The rate of participation in violent or other delinquent behavior.

19 2. The rate of alcohol and other drug use and abuse.

20 3. The rate of nonmarital pregnancy and the rate at which abstinence is used
21 to prevent nonmarital pregnancy.

22 4. The rate of substantiated cases of child abuse and neglect.

23 5. The development of self-sufficiency, as indicated by the rate of high school
24 graduation, the degree of vocational preparedness, any improvements in social and
25 other interpersonal skills and in responsible decision making and any other

1 indicators that the department considers important in indicating the development
2 of adolescent self-sufficiency.

3 6. Any other indicators that the department considers important in indicating
4 the development of positive behaviors among adolescents.

5 (b) The department shall require a grant recipient under sub. (2) (a) to provide
6 an annual report showing the status of its program participants in terms of the
7 benchmark indicators provided under par. (a) and may renew a grant only if the
8 recipient shows improvement on those indicators.

9 **SECTION 1123d.** 46.995 (title) of the statutes is repealed and recreated to read:

10 **46.995 (title) Tribal adolescent services.**

11 **SECTION 1123e.** 46.995 (1) (title) of the statutes is renumbered 46.995 (3) (title)
12 and amended to read:

13 46.995 (3) (title) DEFINITION ADOLESCENT PREGNANCY PREVENTION SERVICES.

14 **SECTION 1123f.** 46.995 (1) (intro.) of the statutes is renumbered 46.995 (3) (a)
15 (intro.) and amended to read:

16 46.995 (3) (a) (intro.) In this ~~section~~ subsection, “high-risk adolescent” means
17 a person who is at least 13 years of age but under the age of 20 and who is at risk of
18 becoming an unmarried parent as an adolescent and of incurring long-term
19 economic dependency on public funds and is characterized by one or more of the
20 following:

21 **SECTION 1123g.** 46.995 (1) (a) of the statutes is renumbered 46.995 (3) (a) 1.

22 **SECTION 1123h.** 46.995 (1) (b) of the statutes is renumbered 46.995 (3) (a) 2.

23 **SECTION 1123i.** 46.995 (1) (c) of the statutes is renumbered 46.995 (3) (a) 3.

24 **SECTION 1123j.** 46.995 (1) (d) of the statutes is renumbered 46.995 (3) (a) 4.

25 **SECTION 1123k.** 46.995 (1) (e) of the statutes is renumbered 46.995 (3) (a) 5.

1 **SECTION 1123L.** 46.995 (1) (f) of the statutes is renumbered 46.995 (3) (a) 6.

2 **SECTION 1123p.** 46.995 (1m) of the statutes is created to read:

3 46.995 (1m) TRIBAL ADOLESCENT SERVICES ALLOCATIONS. From the appropriation
4 account under s. 20.435 (3) (km), the department may allocate \$172,500 in each fiscal
5 year and, from the appropriation account under s. 20.435 (3) (eg), the department
6 may allocate \$7,500 in each fiscal year to provide the grants specified in subs. (2), (3)
7 (b) and (4m) (b).

8 **SECTION 1124.** 46.995 (2) (intro.) of the statutes is amended to read:

9 46.995 (2) ADOLESCENT SELF-SUFFICIENCY SERVICES. (intro.) From the
10 appropriation account under s. 20.435 (3) (~~eg~~) (ky), the department may allocate
11 \$582,100 in each fiscal year to provide a grant annually to a public or private entity
12 or to the elected governing body of a federally recognized American Indian tribe or
13 band to provide services in counties or to a tribe or band for adolescent parents which
14 shall emphasize high school graduation and vocational preparation, training and
15 experience and may be structured so as to strengthen the adolescent parent's
16 capacity to fulfill parental responsibilities by developing social skills and increasing
17 parenting skills. The public or private entity seeking to receive a grant to provide
18 these services shall develop a proposed service plan that is approved by the
19 department. Except with respect to award of a grant to a tribe or band, the
20 department shall rank individual counties and give priority by this ranking for the
21 award of grants under this subsection, based on all of the following factors:

22 **SECTION 1124g.** 46.995 (2) (intro.) of the statutes, as affected by 1999 Wisconsin
23 Act (this act), is renumbered 46.995 (2) and amended to read:

24 46.995 (2) ADOLESCENT SELF-SUFFICIENCY SERVICES. From the appropriation
25 account under s. 20.435 (3) (ky), the department may allocate \$582,100 in each fiscal

1 year to allocations under sub. (1m), the department may provide a grant annually
2 to a ~~public or private entity or in the amount of \$85,000~~ to the elected governing body
3 of a federally recognized American Indian tribe or band to provide services ~~in~~
4 ~~counties or to a tribe or band~~ for adolescent parents which shall emphasize high
5 school graduation and vocational preparation, training and experience and may be
6 structured so as to strengthen the adolescent parent's capacity to fulfill parental
7 responsibilities by developing social skills and increasing parenting skills. The
8 ~~public or private entity~~ tribe or band seeking to receive a grant to provide these
9 services shall develop a proposed service plan that is approved by the department.
10 ~~Except with respect to award of a grant to a tribe or band, the department shall rank~~
11 ~~individual counties and give priority by this ranking for the award of grants under~~
12 ~~this subsection, based on all of the following factors:~~

13 **SECTION 1124h.** 46.995 (2) (a) of the statutes is repealed.

14 **SECTION 1124i.** 46.995 (2) (b) of the statutes is repealed.

15 **SECTION 1124j.** 46.995 (2) (c) of the statutes is repealed.

16 **SECTION 1124k.** 46.995 (2) (d) of the statutes is repealed.

17 **SECTION 1125.** 46.995 (3) of the statutes is amended to read:

18 46.995 (3) ADOLESCENT PREGNANCY PREVENTION SERVICES. From the
19 appropriation account under s. 20.435 (3) ~~(eg)~~ (ky), the department may allocate
20 \$340,000 in each fiscal year to provide a grant annually to a public or private entity
21 or to the elected governing body of a federally recognized American Indian tribe or
22 band to provide to high-risk adolescents pregnancy and parenthood prevention
23 services which shall be structured so as to increase development of decision-making
24 and communications skills, promote graduation from high school and expand career
25 and other options and which may address needs of adolescents with respect to

1 pregnancy prevention. Except with respect to award of a grant to a tribe or band, the
2 department shall rank individual counties and give priority by this ranking for the
3 award of grants under this subsection, based on the factors specified under sub. (2)
4 (a) to (d).

5 **SECTION 1125g.** 46.995 (3) of the statutes, as affected by 1999 Wisconsin Act
6 (this act), is renumbered 46.995 (3) (b) and amended to read:

7 46.995 (3) (b) From the ~~appropriation account under s. 20.435 (3) (ky), the~~
8 ~~department may allocate \$340,000 in each fiscal year to~~ allocations under sub. (1m),
9 the department may provide a grant annually to a public or private entity or in the
10 amount of \$65,000 to the elected governing body of a federally recognized American
11 Indian tribe or band to provide to high-risk adolescents pregnancy and parenthood
12 prevention services which shall be structured so as to increase development of
13 decision-making and communications skills, promote graduation from high school
14 and expand career and other options and which may address needs of adolescents
15 with respect to pregnancy prevention. ~~Except with respect to award of a grant to a~~
16 ~~tribe or band, the department shall rank individual counties and give priority by this~~
17 ~~ranking for the award of grants under this subsection, based on the factors specified~~
18 ~~under sub. (2) (a) to (d).~~

19 **SECTION 1125r.** 46.995 (4) of the statutes is repealed.

20 **SECTION 1126.** 46.996 of the statutes, as affected by 1999 Wisconsin Act (this
21 act), is repealed.

22 **SECTION 1127.** 46.996 (intro.) of the statutes is amended to read:

23 **46.996 Adolescent services.** (intro.) From the appropriation account under
24 s. 20.435 (3) (eg), the department shall ~~allocate funds in~~ distribute \$62,500 and from

1 the appropriation account under s. 20.435 (3) (ky), the department shall distribute
2 \$287,500, for the following amounts:

3 **SECTION 1128d.** 46.997 (title) of the statutes is renumbered 46.995 (4m) (title).

4 **SECTION 1128g.** 46.997 (1) (intro.) of the statutes is renumbered 46.995 (4m)

5 (a) (intro.) and amended to read:

6 46.995 (4m) (a) (intro.) In this ~~section~~ subsection:

7 **SECTION 1128i.** 46.997 (1) (a) of the statutes is renumbered 46.995 (4m) (a) 1.

8 **SECTION 1128k.** 46.997 (1) (b) of the statutes is renumbered 46.995 (4m) (a) 2.

9 **SECTION 1128m.** 46.997 (1) (c) of the statutes is repealed.

10 **SECTION 1128p.** 46.997 (1) (d) of the statutes is repealed.

11 **SECTION 1128r.** 46.997 (1) (e) of the statutes is repealed.

12 **SECTION 1128t.** 46.997 (1) (f) of the statutes is repealed.

13 **SECTION 1129.** 46.997 (2) (intro.) of the statutes is amended to read:

14 46.997 (2) (intro.) From the appropriation account under s. 20.435 (3) (eg), the
15 department shall ~~allocate not more than \$210,000~~ distribute \$52,500 and from the
16 appropriation account under s. 20.435 (3) (ky), the department shall distribute
17 \$157,500 in each fiscal year to make grants to applying organizations for the
18 provision, on a regional or tribal project basis, of information to communities in order
19 to increase community knowledge about problems of adolescents and information to
20 and activities for adolescents, particularly female adolescents, in order to enable the
21 adolescents to develop skills with respect to all of the following:

22 **SECTION 1129g.** 46.997 (2) (intro.) of the statutes, as affected by 1999 Wisconsin
23 Act (this act), is renumbered 46.995 (4m) (b) (intro.) and amended to read:

24 46.995 (4m) (b) (intro.) From the ~~appropriation account under s. 20.435 (3) (eg),~~
25 ~~the department shall distribute \$52,500 and from the appropriation account under~~

1 ~~s. 20.435 (3) (ky), the department shall distribute \$157,500 in each fiscal year to~~
2 ~~make grants to applying organizations allocations under sub. (1m), the department~~
3 ~~may provide a grant annually in the amount of \$30,000 to the elected governing body~~
4 ~~of a federally recognized American Indian tribe or band for the provision, on a~~
5 ~~regional or tribal project basis, of information to communities members of the tribe~~
6 ~~or band in order to increase community knowledge about problems of adolescents~~
7 ~~and information to and activities for adolescents, particularly female adolescents, in~~
8 order to enable the adolescents to develop skills with respect to all of the following:

9 **SECTION 1129h.** 46.997 (2) (a) of the statutes is renumbered 46.995 (4m) (b) 1.

10 **SECTION 1129i.** 46.997 (2) (b) of the statutes is renumbered 46.995 (4m) (b) 2.

11 **SECTION 1129j.** 46.997 (2) (c) of the statutes is renumbered 46.995 (4m) (b) 3.

12 **SECTION 1129k.** 46.997 (2) (d) of the statutes is renumbered 46.995 (4m) (b) 4.

13 **SECTION 1129m.** 46.997 (3) of the statutes is renumbered 46.995 (4m) (c) and

14 amended to read:

15 46.995 (4m) (c) Each ~~funded regional project under sub. (2) shall provide~~
16 ~~services in one of 6 regional areas of the state, and each funded tribal project under~~
17 ~~sub. (2) par. (b) shall provide services in areas of the state as approved by the Indian~~
18 ~~tribe or band and the department. The department shall determine the boundaries~~
19 of the regional areas prior to soliciting project grant applications.

20 **SECTION 1129p.** 46.997 (4) of the statutes is renumbered 46.995 (4m) (d) and

21 amended to read:

22 46.995 (4m) (d) Prior to making grants to ~~applying organizations under sub.~~
23 ~~(2) tribes or bands under par. (b), the department shall consider whether and how the~~
24 ~~applying organization tribe or band proposes to coordinate its services with other~~
25 public or private resources, programs or activities in the region and the state.

1 **SECTION 1129r.** 46.997 (5) of the statutes is renumbered 46.995 (4m) (e) and
2 amended to read:

3 46.995 (4m) (e) The department shall work closely with the women's council
4 and the department of public instruction, on a continuing basis, concerning the scope
5 and direction of activities under projects funded by the program under sub. (2) par.
6 (b).

7 **SECTION 1130.** 48.02 (6) of the statutes is amended to read:

8 48.02 (6) "Foster home" means any facility that is operated by a person
9 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
10 no more than 4 children ~~unless all of the children are siblings or, if necessary to~~
11 enable a sibling group to remain together, for no more than 6 children or, if the
12 department promulgates rules permitting a different number of children, for the
13 number of children permitted under those rules.

14 **SECTION 1130m.** 48.20 (8) of the statutes is amended to read:

15 48.20 (8) If a child is held in custody, the intake worker shall notify the child's
16 parent, guardian and legal custodian of the reasons for holding the child in custody
17 and of the child's whereabouts unless there is reason to believe that notice would
18 present imminent danger to the child. The parent, guardian and legal custodian
19 shall also be notified of the time and place of the detention hearing required under
20 s. 48.21, the nature and possible consequences of that hearing, the right to counsel
21 under s. 48.23 regardless of ability to pay and the right to present and cross-examine
22 witnesses at the hearing. If the parent, guardian or legal custodian is not
23 immediately available, the intake worker or another person designated by the court
24 shall provide notice as soon as possible. When the child is 12 years of age or older,
25 the child shall receive the same notice about the detention hearing as the parent,

1 guardian or legal custodian. The intake worker shall notify both the child and the
2 child's parent, guardian or legal custodian. When the child is an expectant mother
3 who has been taken into custody under s. 48.19 (1) (cm) or (d) 8., the unborn child,
4 through the unborn child's guardian ad litem, shall receive the same notice about the
5 whereabouts of the child expectant mother, about the reasons for holding the child
6 expectant mother in custody and about the detention hearing as the child expectant
7 mother and her parent, guardian or legal custodian. The intake worker shall notify
8 the child expectant mother, her parent, guardian or legal custodian and the unborn
9 child, by the unborn child's guardian ad litem.

10 **SECTION 1130p.** 48.21 (3) (d) of the statutes is amended to read:

11 48.21 (3) (d) Prior to the commencement of the hearing, the parent, guardian
12 or legal custodian shall be informed by the court of the allegations that have been
13 made or may be made, the nature and possible consequences of this hearing as
14 compared to possible future hearings, the right to counsel under s. 48.23 regardless
15 of ability to pay, the right to confront and cross-examine witnesses and the right to
16 present witnesses.

17 **SECTION 1130r.** 48.23 (2) of the statutes is renumbered 48.23 (2) (a) and
18 amended to read:

19 48.23 (2) (a) Whenever a child is alleged to be in need of protection or services
20 under s. 48.13 or is the subject of a proceeding involving a contested adoption or the
21 involuntary termination of parental rights, any parent under 18 years of age who
22 appears before the court shall be represented by counsel; but no such parent may
23 waive counsel. A minor parent petitioning for the voluntary termination of parental
24 rights shall be represented by a guardian ad litem. If a proceeding involves a
25 contested adoption or the involuntary termination of parental rights, any parent 18

1 years old or older who appears before the court shall be represented by counsel; but
2 the parent may waive counsel provided the court is satisfied such waiver is
3 knowingly and voluntarily made.

4 **SECTION 1130t.** 48.23 (2) (b) of the statutes is created to read:

5 48.23 (2) (b) If a petition under s. 48.13 is contested, no child may be placed
6 outside his or her home unless the nonpetitioning parent is represented by counsel
7 at the fact-finding hearing and subsequent proceedings. If the petition is not
8 contested, the child may not be placed outside his or her home unless the
9 nonpetitioning parent is represented by counsel at the hearing at which the
10 placement is made. A parent who is required under this paragraph to be represented
11 by counsel may, however, waive counsel if the court is satisfied that such waiver is
12 knowingly and voluntarily made, and the court may place the child outside the home
13 even though the parent was not represented by counsel.

14 **SECTION 1130v.** 48.23 (3) of the statutes is amended to read:

15 48.23 (3) POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings under~~
16 ~~s. 48.13, at~~ At any time, upon request or on its own motion, the court may appoint
17 counsel for the child or any party, unless the child or the party has or wishes to retain
18 counsel of his or her own choosing. ~~The court may not appoint counsel for any party~~
19 ~~other than the child in a proceeding under s. 48.13.~~

20 **SECTION 1130x.** 48.23 (4) of the statutes is amended to read:

21 48.23 (4) PROVIDING COUNSEL. In any situation under this section in which a
22 ~~person~~ child has a right to be represented by counsel or is provided counsel at the
23 discretion of the court and counsel is not knowingly and voluntarily waived, the court
24 shall refer the ~~person~~ child to the state public defender and counsel shall be
25 appointed by the state public defender under s. 977.08 without a determination of

1 indigency. If the referral is of a ~~person~~ child who has filed a petition under s. 48.375
2 (7), the state public defender shall appoint counsel within 24 hours after that
3 referral. Any counsel appointed in a petition filed under s. 48.375 (7) shall continue
4 to represent the child in any appeal brought under s. 809.105 unless the child
5 requests substitution of counsel or extenuating circumstances make it impossible for
6 counsel to continue to represent the child. In any situation under sub. (2) or (2m) in
7 which a parent 18 years of age or over or an adult expectant mother is entitled to
8 representation by counsel; counsel is not knowingly and voluntarily waived; and it
9 appears that the parent or adult expectant mother is unable to afford counsel in full,
10 or the parent or adult expectant mother so indicates; the court shall refer the parent
11 or adult expectant mother to the authority for indigency determinations specified
12 under s. 977.07 (1). In any other situation under this section in which a person has
13 a right to be represented by counsel or is provided counsel at the discretion of the
14 court, competent and independent counsel shall be provided and reimbursed in any
15 manner suitable to the court regardless of the person's ability to pay, except that the
16 court may not order a person who files a petition under s. 813.122 or 813.125 to
17 reimburse counsel for the child who is named as the respondent in that petition.

18 **SECTION 1131c.** 48.207 (1) (a) of the statutes is amended to read:

19 48.207 (1) (a) The home of a parent or guardian, except that a child may not
20 be held in the home of a parent or guardian if the parent or guardian has been
21 convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05
22 of the 2nd-degree intentional homicide, of a parent of the child, and the conviction
23 has not been reversed, set aside or vacated, unless the person making the custody
24 decision determines by clear and convincing evidence that the placement would be

1 in the best interests of the child. The person making the custody decision shall
2 consider the wishes of the child in making that determination.

3 **SECTION 1131cf.** 48.207 (1) (b) of the statutes is amended to read:

4 48.207 (1) (b) The home of a relative, except that a child may not be held in the
5 home of a relative if the relative has been convicted under s. 940.01 of the
6 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
7 homicide, of a parent of the child, and the conviction has not been reversed, set aside
8 or vacated, unless the person making the custody decision determines by clear and
9 convincing evidence that the placement would be in the best interests of the child.
10 The person making the custody decision shall consider the wishes of the child in
11 making that determination.

12 **SECTION 1131d.** 48.02 (17) of the statutes is amended to read:

13 48.02 (17) "Shelter care facility" means a nonsecure place of temporary care
14 and physical custody for children, including a holdover room, licensed by the
15 department under s. 48.66 (1) (a).

16 **SECTION 1131g.** 48.235 (8) (c) 1. of the statutes is amended to read:

17 48.235 (8) (c) 1. In an uncontested termination of parental rights and adoption
18 proceeding under s. 48.833 (1), the court shall order the agency that placed the child
19 for adoption to pay the compensation of the child's guardian ad litem.

20 **SECTION 1131h.** 48.32 (2) (a) of the statutes is amended to read:

21 48.32 (2) (a) A consent decree shall remain in effect up to ~~6 months~~ one year
22 unless the child, parent, guardian, legal custodian or expectant mother is discharged
23 sooner by the judge or juvenile court commissioner.

24 **SECTION 1131m.** 48.27 (4) (a) 2. of the statutes is amended to read:

1 48.27 (4) (a) 2. Advise the child and any other party, if applicable, of his or her
2 right to legal counsel regardless of ability to pay.

3 **SECTION 1131h.** 48.345 (3) (a) of the statutes is amended to read:

4 48.345 (3) (a) The home of a parent or other relative of the child, except that
5 the judge may not designate the home of a parent or other relative of the child as the
6 child's placement if the parent or other relative has been convicted under s. 940.01
7 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
8 intentional homicide, of a parent of the child, and the conviction has not been
9 reversed, set aside or vacated, unless the judge determines by clear and convincing
10 evidence that the placement would be in the best interests of the child. The judge
11 shall consider the wishes of the child in making that determination.

12 **SECTION 1131hd.** 48.345 (3) (b) of the statutes is amended to read:

13 48.345 (3) (b) ~~A home which need not be~~ The home of a person who is not
14 required to be licensed if placement is for less than 30 days, except that the judge may
15 not designate the home of a person who is not required to be licensed as the child's
16 placement if the person has been convicted under s. 940.01 of the first-degree
17 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
18 a parent of the child, and the conviction has not been reversed, set aside or vacated,
19 unless the judge determines by clear and convincing evidence that the placement
20 would be in the best interests of the child. The judge shall consider the wishes of the
21 child in making that determination.

22 **SECTION 1131i.** 48.355 (3) of the statutes is renumbered 48.355 (3) (a) and
23 amended to read:

24 48.355 (3) (a) ~~If~~ Except as provided in par. (b), if, after a hearing on the issue
25 with due notice to the parent or guardian, the judge court finds that it would be in

1 the best interest of the child, the judge court may set reasonable rules of parental
2 visitation.

3 **SECTION 1131id.** 48.355 (3) (b) of the statutes is created to read:

4 48.355 (3) (b) 1. Except as provided in subd. 2., the court may not grant
5 visitation under par. (a) to a parent of a child if the parent has been convicted under
6 s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
7 2nd-degree intentional homicide, of the child's other parent, and the conviction has
8 not been reversed, set aside or vacated.

9 1m. Except as provided in subd. 2., if a parent who is granted visitation rights
10 with a child under par. (a) is convicted under s. 940.01 of the first-degree intentional
11 homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of the child's
12 other parent, and the conviction has not been reversed, set aside or vacated, the court
13 shall issue an order prohibiting the parent from having visitation with the child on
14 petition of the child, the guardian or legal custodian of the child, a person or agency
15 bound by the dispositional order or the district attorney or corporation counsel of the
16 county in which the dispositional order was entered, or on the court's own motion,
17 and on notice to the parent.

18 2. Subdivisions 1. and 1m. do not apply if the court determines by clear and
19 convincing evidence that the visitation would be in the best interests of the child.
20 The court shall consider the wishes of the child in making that determination.

21 **SECTION 1131ir.** 48.357 (4d) of the statutes is created to read:

22 48.357 (4d) (a) Except as provided in par. (b), the court may not change a child's
23 placement to a placement in the home of a person who has been convicted under s.
24 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree

1 intentional homicide, of a parent of the child, if the conviction has not been reversed,
2 set aside or vacated.

3 (am) Except as provided in par (b), if a parent in whose home a child is placed
4 is convicted under s. 940.01 of the first-degree intentional homicide, or under s.
5 940.05 of the 2nd-degree intentional homicide, of the child's other parent, and the
6 conviction has not been reversed, set aside or vacated, the court shall change the
7 child's placement to a placement out of the home of the parent on petition of the child,
8 the guardian or legal custodian of the child, a person or agency bound by the
9 dispositional order or the district attorney or corporation counsel of the county in
10 which the dispositional order was entered, or on the court's own motion, and on notice
11 to the parent.

12 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and
13 convincing evidence that the placement would be in the best interests of the child.
14 The court shall consider the wishes of the child in making that determination.”.

15 **SECTION 1131k.** 48.38 (4) (d) of the statutes is amended to read:

16 48.38 (4) (d) If the child is living more than 60 miles from his or her home,
17 documentation that placement within 60 miles of the child's home is either
18 unavailable or inappropriate or documentation that placement more than 60 miles
19 from the child's home is in the child's best interests. The placement of a child in a
20 licensed foster home or a licensed treatment foster home more than 60 miles from the
21 child's home is presumed to be in the best interests of the child if documentation is
22 provided ~~which~~ that shows ~~all~~ any of the following:

23 1. That the placement is made pursuant to a voluntary agreement under s.
24 48.63 (1).

1 ~~2. That, that~~ the voluntary agreement provides that the child may be placed
2 more than 60 miles from the child's home.

3 ~~3. That and that~~ the placement is made to facilitate the anticipated adoptive
4 placement of the child under s. 48.833 (1) or 48.837.

5 **SECTION 1131L.** 48.38 (4) (d) 1m. of the statutes is created to read:

6 48.38 (4) (d) 1m. That the placement is of a child with special needs, as defined
7 by rule promulgated under s. 48.975 (5) (b), that the placement is made to facilitate
8 the anticipated adoptive placement of the child under s. 48.833 (1) and that the
9 department, county department or child welfare agency making the placement has
10 determined under s. 48.833 (3) that consideration of the location of the proposed
11 adoptive parent's residence is not necessary to ensure the best interests of the child
12 in light of the child's need for care or treatment to meet those special needs.

13 **SECTION 1131m.** 48.38 (4) (dm) of the statutes is created to read:

14 48.38 (4) (dm) In the case of a child with special needs, as defined by rule
15 promulgated under s. 48.975 (5) (b), who is placed to facilitate the anticipated
16 adoptive placement of the child under s. 48.833 (1), if the department, county
17 department or child welfare agency making the placement has determined under s.
18 48.833 (3) that consideration of the location of the proposed adoptive parent's
19 residence is necessary to ensure the best interests of the child in light of the child's
20 need for care or treatment to meet those special needs, documentation showing the
21 reasons why that consideration is necessary.

22 **SECTION 1131p.** 48.415 (8) of the statutes is amended to read:

23 48.415 (8) ~~INTENTIONAL OR RECKLESS HOMICIDE~~ HOMICIDE OR SOLICITATION TO
24 COMMIT HOMICIDE OF PARENT. ~~Intentional or reckless~~ Homicide or solicitation to
25 commit homicide of a parent, which shall be established by proving that a parent of

1 the child has been a victim of first-degree intentional homicide in violation of s.
2 940.01, first-degree reckless homicide in violation of s. 940.02 or 2nd-degree
3 intentional homicide in violation of s. 940.05 or a crime under federal law or the law
4 of any other state that is comparable to ~~a crime specified in this subsection~~ any of
5 those crimes, or has been the intended victim of a solicitation to commit first-degree
6 intentional homicide in violation of s. 939.30 or a crime under federal law or the law
7 of any other state that is comparable to that crime, and that the person whose
8 parental rights are sought to be terminated has been convicted of that intentional
9 or reckless homicide, solicitation or crime under federal law or the law of any other
10 state as evidenced by a final judgment of conviction.

11 **SECTION 1131p.** 48.42 (1m) (b) of the statutes is amended to read:

12 48.42 (1m) (b) The Subject to par. (e), the court may issue the temporary order
13 ex parte or may refuse to issue the temporary order and hold a hearing on whether
14 to issue an injunction. The temporary order is in effect until a hearing is held on the
15 issuance of an injunction. The court shall hold a hearing on the issuance of an
16 injunction on or before the date of the hearing on the petition to terminate parental
17 rights under s. 48.422 (1).

18 **SECTION 1131pd.** 48.42 (1m) (c) of the statutes is amended to read:

19 48.42 (1m) (c) Notwithstanding any other order under s. 48.355 (3), the court,
20 subject to par. (e), may grant an injunction prohibiting the respondent from visiting
21 or contacting the child if the court determines that the prohibition would be in the
22 best interests of the child. An injunction under this subsection is effective according
23 to its terms but may not remain in effect beyond the date the court dismisses the
24 petition for termination of parental rights under s. 48.427 (2) or issues an order
25 terminating parental rights under s. 48.427 (3).

1 **SECTION 1131pg.** 48.42 (1m) (e) of the statutes is created to read:

2 48.42 (1m) (e) 1. Except as provided in subd. 2., the court shall issue a
3 temporary order and injunction prohibiting a parent of a child from visitation or
4 contact with the child if the parent has been convicted under s. 940.01 of the
5 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
6 homicide, of the child's other parent, and the conviction has not been reversed, set
7 aside or vacated.

8 2. Subdivision 1. does not apply if the court determines by clear and convincing
9 evidence that the visitation or contact would be in the best interests of the child. The
10 court shall consider the wishes of the child in making that determination.

11 **SECTION 1131pm.** 48.428 (6) of the statutes is renumbered 48.428 (6) (a) and
12 amended to read:

13 48.428 (6) (a) ~~The Except as provided in par. (b), the court may order or prohibit~~
14 visitation by a birth parent of a child placed in sustaining care.

15 **SECTION 1131pp.** 48.428 (6) (b) of the statutes is created to read:

16 48.428 (6) (b) 1. Except as provided in subd. 2., the court may not grant
17 visitation under par. (a) to a birth parent of a child who has been placed in sustaining
18 care if the birth parent has been convicted under s. 940.01 of the first-degree
19 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
20 the child's other birth parent, and the conviction has not been reversed, set aside or
21 vacated.

22 1m. Except as provided in subd. 2., if a birth parent who is granted visitation
23 rights with a child under par. (a) is convicted under s. 940.01 of the first-degree
24 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
25 the child's other birth parent, and the conviction has not been reversed, set aside or

1 vacated, the court shall issue an order prohibiting the birth parent from having
2 visitation with the child on petition of the child, the guardian or legal custodian of
3 the child, or the district attorney or corporation counsel of the county in which the
4 dispositional order was entered, or on the court's own motion, and on notice to the
5 birth parent.

6 2. Subdivisions 1. and 1m. do not apply if the court determines by clear and
7 convincing evidence that the visitation would be in the best interests of the child.
8 The court shall consider the wishes of the child in making that determination.”

9 **SECTION 1131r.** 48.434 (2) of the statutes is amended to read:

10 48.434 (2) Any birth parent of a child may file with the agency that placed the
11 child for adoption under s. 48.833 (1) or that was appointed the guardian of the child
12 under s. 48.837 (6) (d) a written authorization for the agency to release any available
13 information about the birth parent's identity and location to one or both adoptive
14 parents of the child.

15 **SECTION 1131s.** 48.434 (3) of the statutes is amended to read:

16 48.434 (3) Any adoptive parent of a child may file with the agency that placed
17 the child for adoption under s. 48.833 (1) or that was appointed the guardian of the
18 child under s. 48.837 (6) (d) a written authorization for the agency to release any
19 available information about the adoptive parent's identity and location to one or both
20 birth parents of the child.

21 **SECTION 1134h.** 48.48 (17) (a) 10. of the statutes is amended to read:

22 48.48 (17) (a) 10. Administer kinship care and long-term kinship care as
23 provided in s. 48.57 (3m), (3n), ~~(3o)~~ and (3p).

24 **SECTION 1132d.** 48.48 (9) of the statutes is amended to read:

1 48.48 (9) To license foster homes or treatment foster homes as provided in s.
2 48.66 (1) (a) for its own use or for the use of licensed child welfare agencies or, if
3 requested to do so, for the use of county departments.

4 **SECTION 1133d.** 48.48 (9m) of the statutes is amended to read:

5 48.48 (9m) To license shelter care facilities as provided in s. 48.66 (1) (a).

6 **SECTION 1134d.** 48.48 (10) of the statutes is amended to read:

7 48.48 (10) To license child welfare agencies and day care centers as provided
8 in s. 48.66 (1) (a).

9 **SECTION 1135.** 48.55 (title) of the statutes is amended to read:

10 **48.55 (title) State adoption information exchange and state adoption**
11 **center.**

12 **SECTION 1136.** 48.55 of the statutes is renumbered 48.55 (1) and amended to
13 read:

14 48.55 (1) The department shall establish a state adoption information
15 exchange for the purpose of finding adoptive homes for children with special needs
16 who do not have permanent homes. ~~The department shall adopt rules governing the~~
17 ~~adoption information exchange and, from~~ and a state adoption center for the
18 purposes of increasing public knowledge of adoption and promoting to adolescents
19 and pregnant women the availability of adoption services. From the appropriation
20 under s. 20.435 (3) (dg), ~~the department~~ may provide not more than \$75,000 \$125,000
21 in each fiscal year as grants to individuals and private agencies ~~for to provide~~
22 adoption information exchange services and to operate the state adoption center.

23 **SECTION 1137.** 48.551 (title) and (1) of the statutes are repealed.

24 **SECTION 1138.** 48.551 (2) (intro.) of the statutes is renumbered 48.55 (2) (intro.)
25 and amended to read:

1 48.55 (2) (intro.) The department shall promulgate rules governing the
2 adoption information exchange and rules specifying the functions of the state
3 adoption center, ~~which.~~ The rules specifying the functions of the state adoption
4 center shall include all of the following:

5 **SECTION 1139.** 48.551 (2) (a), (b), (c), (d) and (e) of the statutes are renumbered
6 48.55 (2) (a), (b), (c), (d) and (e).

7 **SECTION 1140.** 48.561 (3) (b) of the statutes is amended to read:

8 48.561 (3) (b) The department of administration ~~and a county having a~~
9 ~~population of 500,000 or more shall consult to determine the method by which the~~
10 ~~state will~~ shall collect the amount specified in par. (a). ~~If the department of~~
11 ~~administration and from~~ a county having a population of 500,000 or more ~~reach an~~
12 ~~agreement as to that method and if that agreement calls for~~ by deducting all or part
13 of that amount from any state payment due that county under s. ~~46.40,~~ 79.03, 79.04,
14 79.058, 79.06 or 79.08 ~~or for adding a special charge to the amount of taxes~~
15 ~~apportioned to and levied on that county under s. 70.60, the.~~ The department of
16 administration shall notify the department of revenue, by September 15 of each year,
17 of the amount to be deducted from ~~these~~ the state payments due ~~or to be added as~~
18 ~~that special charge.~~ ~~If the department of administration and a county having a~~
19 ~~population of 500,000 or more do not reach an agreement as to that method by~~
20 ~~September 15 of each year, the department of administration shall determine that~~
21 ~~method without the agreement of that county~~ under s. 79.03, 79.04, 79.058, 79.06 or
22 79.08. The department of administration shall credit all amounts collected under
23 this paragraph to the appropriation account under s. 20.435 (3) (kw) and shall notify
24 the county from which those amounts are collected of that collection.

25 **SECTION 1141d.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

1 48.57 **(3m)** (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435
2 (3) ~~(ez)~~ and (kc), the department shall reimburse counties having populations of less
3 than 500,000 for payments made under this subsection and shall make payments
4 under this subsection in a county having a population of 500,000 or more. A county
5 department and, in a county having a population of 500,000 or more, the department
6 shall make payments in the amount of \$215 per month to a kinship care relative who
7 is providing care and maintenance for a child if all of the following conditions are met:

8 **SECTION 1142g.** 48.57 (3m) (f) of the statutes is amended to read:

9 48.57 **(3m)** (f) Any person whose application for payments under par. (am) is
10 not acted on promptly or is denied on the grounds that ~~a condition~~ any of the
11 conditions specified in par. (am) 1., ~~2., 5. or to~~ 6. has not been met and any person
12 whose payments under par. (am) are discontinued under par. (d) may petition the
13 department under par. (g) for a review of that action or failure to act. Review is
14 unavailable if the action or failure to act arose more than 45 days before submission
15 of the petition for review.

16 **SECTION 1143d.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

17 48.57 **(3n)** (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435
18 (3) ~~(ez)~~ and (kc), the department shall reimburse counties having populations of less
19 than 500,000 for payments made under this subsection and shall make payments
20 under this subsection in a county having a population of 500,000 or more. A county
21 department and, in a county having a population of 500,000 or more, the department
22 shall make monthly payments for each child in the amount specified in sub. (3m)
23 (am) (intro.) to a long-term kinship care relative who is providing care and
24 maintenance for that child if all of the following conditions are met:

25 **SECTION 1143dm.** 48.60 (2) (d) of the statutes is amended to read:

1 48.60 (2) (d) A hospital, maternity hospital, maternity home, or nursing home
2 ~~or tuberculosis sanatorium~~ licensed, approved or supervised by the department;

3 **SECTION 1145g.** 48.57 (3n) (f) of the statutes is amended to read:

4 48.57 (3n) (f) Any person whose application for payments under par. (am) is not
5 acted on promptly or is denied on the grounds that ~~a condition~~ any of the conditions
6 specified in par. (am) 1., ~~2., 5., 5m.~~ or 5r. has not been met and any person whose
7 payments under par. (am) are discontinued under par. (d) may petition the
8 department under par. (g) for a review of that action or failure to act. Review is
9 unavailable if the action or failure to act arose more than 45 days before submission
10 of the petition for review.

11 **SECTION 1145h.** 48.57 (3p) (fm) 1. of the statutes is amended to read:

12 48.57 (3p) (fm) 1. The county department or, in a county having a population
13 of 500,000 or more, the department of health and family services may provisionally
14 approve the making of payments under sub. (3m) based on the applicant's statement
15 under sub. (3m)(am) 4m. The county department or department of health and family
16 services may not finally approve the making of payments under sub. (3m) unless the
17 county department or department of health and family services receives information
18 from the department of justice indicating that the conviction record of the applicant
19 under the law of this state is satisfactory according to the criteria specified in par.
20 (g) 1. to 3. ~~or payment is approved under par. (h) 4.~~ The county department or
21 department of health and family services may make payments under sub. (3m)
22 conditioned on the receipt of information from the federal bureau of investigation
23 indicating that the person's conviction record under the law of any other state or
24 under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

25 **SECTION 1145j.** 48.57 (3p) (g) (intro.) of the statutes is amended to read:

1 48.57 (3p) (g) (intro.) ~~Except as provided in par. (h), the A~~ county department
2 or, in a county having a population of 500,000 or more, the department of health and
3 family services may not make payments to a person applying for payments under
4 sub. (3m) and a person receiving payments under sub. (3m) may not employ a person
5 in a position in which that person would have regular contact with the child for whom
6 those payments are being made or permit a person to be an adult resident if any of
7 the following applies:

8 **SECTION 1145m.** 48.57 (3p) (h) of the statutes is repealed.

9 **SECTION 1145p.** 48.57 (3t) of the statutes is amended to read:

10 48.57 (3t) Notwithstanding subs. (3m), (3n) and (3p), the department may
11 enter into an agreement with the governing body of a federally recognized American
12 Indian tribe or band to allow that governing body to administer the program under
13 subs. (3m), (3n) and (3p) within the boundaries of that reservation. ~~Any agreement~~
14 ~~under this subsection relating to the administration of the program under sub. (3m)~~
15 ~~shall specify the person with whom a request for review under sub. (3p) (h) 2. may~~
16 ~~be filed and the person who has been designated by the governing body to conduct~~
17 ~~the review under sub. (3p) (h) 3. and make the determination under sub. (3p) (h) 4.~~
18 Any agreement under this subsection relating to the administration of the program
19 under sub. (3n) shall specify who is to make any determination as to whether a
20 conviction record is satisfactory.

21 **SECTION 1145p.** 48.57 (3o) of the statutes is created to read:

22 48.57 (3o) (a) In this subsection:

- 23 1. “Kinship care relative” has the meaning given in sub. (3m) (a).
24 2. “Long-term kinship care relative” has the meaning given in sub. (3n) (a).

1 (b) From the appropriation under s. 20.435 (3) (kc), the department shall
2 reimburse counties having populations of less than 500,000 for payments made
3 under this subsection and shall make payments under this subsection in a county
4 having a population of 500,000 or more. A county department and, in a county
5 having a population of 500,000 or more, the department shall make payments in the
6 amount of \$215 per month to a kinship care relative or a long-term kinship care
7 relative who is providing care and maintenance for a person if the person meets all
8 of the following conditions:

9 1. The person is 18 years of age or over.

10 2. The person is enrolled in and regularly attending a secondary education
11 classroom program leading to a high school diploma.

12 3. The person has not been absent from that program without an acceptable
13 excuse under ss. 118.15 and 118.16 (4) for part or all of any day on which that program
14 is held during the month preceding the month in which a payment under this
15 paragraph is payable.

16 4. The person received funding under sub. (3m) (am) or (3n) (am) immediately
17 prior to the person's 18th birthday.

18 (c) The county department or department making payments under par. (b)
19 shall monitor the classroom attendance of the person receiving care and
20 maintenance under par. (b) and may require consent to the release of school
21 attendance records, under s. 118.125 (2) (e), as a condition of eligibility for payments
22 under par. (b).

23 (d) Subsection (3m) or (3n), whichever is applicable, and subs. (3p) and (3t)
24 shall continue to apply to a kinship care relative, long-term kinship care relative and
25 person receiving care and maintenance under par. (b) in the same manner as those

1 subsections applied to those persons immediately prior to the 18th birthday of the
2 person receiving that care and maintenance.

3 **SECTION 1145t.** 48.57 (3t) of the statutes is amended to read:

4 48.57 (3t) Notwithstanding subs. (3m), (3n), ~~(3o)~~ and (3p), the department may
5 enter into an agreement with the governing body of a federally recognized American
6 Indian tribe or band to allow that governing body to administer the program under
7 subs. (3m), (3n), ~~(3o)~~ and (3p) within the boundaries of that reservation. Any
8 agreement under this subsection relating to the administration of the program under
9 sub. (3m) shall specify the person with whom a request for review under sub. (3p) (h)
10 2. may be filed and the person who has been designated by the governing body to
11 conduct the review under sub. (3p) (h) 3. and make the determination under sub. (3p)
12 (h) 4. Any agreement under this subsection relating to the administration of the
13 program under sub. (3n) shall specify who is to make any determination as to
14 whether a conviction record is satisfactory.

15 **SECTION 1147.** 48.60 (2) (h) of the statutes is repealed.

16 **SECTION 1148.** 48.62 (1) (a) of the statutes is amended to read:

17 48.62 (1) (a) Any person who receives, with or without transfer of legal custody,
18 4 or fewer children or ~~more than 4 children if all of the children are siblings, if~~
19 necessary to enable a sibling group to remain together, 6 or fewer children or, if the
20 department promulgates rules permitting a different number of children, the
21 number of children permitted under those rules, to provide care and maintenance for
22 those children shall obtain a license to operate a foster home from the department,
23 a county department or a licensed child welfare agency as provided in s. 48.75.

24 **SECTION 1148g.** 48.62 (4) of the statutes is amended to read:

1 48.62 (4) Monthly payments in foster care shall be provided according to the
2 age-related rates specified in this subsection. Beginning on January 1, ~~1998~~ 2000,
3 the age-related rates are: ~~\$289~~ \$299 for children aged 4 and under; ~~\$315~~ \$326 for
4 children aged 5 to 11; ~~\$358~~ \$371 for children aged 12 to 14 and ~~\$374~~ \$387 for children
5 aged 15 to 17. Beginning on January 1, ~~1999~~ 2001, the age-related rates are: ~~\$296~~
6 \$302 for children aged 4 and under; ~~\$323~~ \$329 for children aged 5 to 11; ~~\$367~~ \$375
7 for children aged 12 to 14; and ~~\$383~~ \$391 for children aged 15 to 17. In addition to
8 these grants for basic maintenance, the department shall make supplemental
9 payments for special needs, exceptional circumstances, care in a treatment foster
10 home and initial clothing allowances according to rules promulgated by the
11 department.

12 **SECTION 1148m.** 48.63 (3) of the statutes is amended to read:

13 48.63 (3) Subsection (1) does not apply to the placement of a child for adoption.
14 Adoptive placements may be made only as provided under ss. 48.833 (1), 48.835,
15 48.837 and 48.839.

16 **SECTION 1148p.** 48.64 (1m) of the statutes is amended to read:

17 48.64 (1m) FOSTER HOME, TREATMENT FOSTER HOME AND GROUP HOME AGREEMENTS.
18 If an agency places a child in a foster home, treatment foster home or group home
19 under a court order or voluntary agreement under s. 48.63, the agency shall enter
20 into a written agreement with the head of the home. The agreement shall provide
21 that the agency shall have access at all times to the child and the home, and that the
22 child will be released to the agency whenever, in the opinion of the agency placing
23 the child or the department, the best interests of the child require it. If a child has
24 been in a foster home, treatment foster home or group home for 6 months or more,
25 the agency shall give the head of the home written notice of intent to remove the

1 child, stating the reasons for the removal. The child may not be removed before
2 completion of the hearing under sub. (4) (a) or (c), if requested, or 30 days after the
3 receipt of the notice, whichever is later, unless the safety of the child requires it or,
4 in a case in which the reason for removal is to place the child for adoption under s.
5 48.833 (1), unless all of the persons who have the right to request a hearing under
6 sub. (4) (a) or (c) sign written waivers of objection to the proposed removal. If the
7 safety of the child requires earlier removal, s. 48.19 shall apply. If an agency removes
8 a child from an adoptive placement, the head of the home shall have no claim against
9 the placing agency for the expense of care, clothing or medical treatment.

10 **SECTION 1153d.** 48.66 (1) of the statutes is renumbered 48.66 (1) (a) and
11 amended to read:

12 48.66 (1) (a) Except as provided ~~under~~ in s. 48.715 (6) and (7), the department
13 shall license and supervise child welfare agencies, as required by s. 48.60, group
14 homes, as required by s. 48.625, shelter care facilities, as required by s. 938.22, and
15 day care centers, as required by s. 48.65. The department may license foster homes
16 or treatment foster homes, as provided by s. 48.62, and may license and supervise
17 county departments in accordance with the procedures specified in this section and
18 in ss. 48.67 to 48.74.

19 (b) Except as provided ~~under~~ in s. 48.715 (6), the department of corrections may
20 license a child welfare agency to operate a secured child caring institution, as defined
21 in s. 938.02 (15g), for holding in secure custody juveniles who have been convicted
22 under s. 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4d), (4h) or
23 (4m) and referred to the child welfare agency by the court or the department of
24 corrections and to provide supervision, care and maintenance for those juveniles.
25 The department of corrections may also license not more than 5 county departments.

1 as defined in s. 938.02 (2g), or not more than 5 consortia of county departments to
2 operate not more than 5 group homes that have been licensed under par. (a) as
3 secured group homes, as defined in s. 938.02 (15p), for holding in secure custody
4 juveniles who have been convicted under s. 938.183 or adjudicated delinquent under
5 s. 938.183 or 938.34 (4m) and referred to the county department by the court and to
6 provide supervision, care and maintenance for those juveniles.

7 (c) A license issued under ~~this subsection~~ par. (a) or (b), other than a license to
8 operate a foster home, treatment foster home ~~or~~, secured child caring institution or
9 secured group home, is valid until revoked or suspended. A license issued under this
10 subsection to operate a foster home, treatment foster home ~~or~~, secured child caring
11 institution or secured group home may be for any term not to exceed 2 years from the
12 date of issuance. No license issued under ~~this subsection~~ par. (a) or (b) is
13 transferable.

14 **SECTION 1154d.** 48.66 (2m) (a) 1. of the statutes, as affected by 1999 Wisconsin
15 Act (this act), is amended to read:

16 48.66 (2m) (a) 1. Except as provided in subd. 2., the department of health and
17 family services shall require each applicant for a license under sub. (1) (a) to operate
18 a child welfare agency, group home, shelter care facility or day care center who is an
19 individual to provide that department with the applicant's social security number,
20 and shall require each applicant for a license under sub. (1) (a) to operate a child
21 welfare agency, group home, shelter care facility or day care center who is not an
22 individual to provide that department with the applicant's federal employer
23 identification number, when initially applying for or applying to continue the license.

24 **SECTION 1155d.** 48.66 (2m) (am) 1. of the statutes, as affected by 1999
25 Wisconsin Act (this act), is amended to read:

1 48.66 (2m) (am) 1. Except as provided in subd. 2., the department of corrections
2 shall require each applicant for a license under sub. (1) (b) to operate a secured child
3 caring institution who is an individual to provide that department with the
4 applicant's social security number when initially applying for or applying to renew
5 the license.

6 **SECTION 1156d.** 48.66 (2m) (b) of the statutes, as affected by 1999 Wisconsin
7 Act (this act), is amended to read:

8 48.66 (2m) (b) If an applicant who is an individual fails to provide the
9 applicant's social security number to the department of health and family services
10 or if an applicant who is not an individual fails to provide the applicant's federal
11 employer identification number to that department, that department may not issue
12 or continue a license under sub. (1) (a) to operate a child welfare agency, group home,
13 shelter care facility or day care center to or for the applicant unless the applicant is
14 an individual who does not have a social security number and the applicant submits
15 a statement made or subscribed under oath or affirmation as required under par. (a)
16 2.

17 **SECTION 1157d.** 48.66 (2m) (bm) of the statutes, as affected by 1999 Wisconsin
18 Act (this act), is amended to read:

19 48.66 (2m) (bm) If an applicant who is an individual fails to provide the
20 applicant's social security number to the department of corrections, that department
21 may not issue or renew a license under sub. (1) (b) to operate a secured child caring
22 institution to or for the applicant unless the applicant does not have a social security
23 number and the applicant submits a statement made or subscribed under oath or
24 affirmation as required under par. (am) 2.

25 **SECTION 1158d.** 48.68 (1) of the statutes is amended to read:

1 48.68 (1) After receipt of an application for a license, the department shall
2 investigate to determine if the applicant meets the minimum requirements for a
3 license adopted by the department under s. 48.67 and meets the requirements
4 specified in s. 48.685, if applicable. In determining whether to issue or continue a
5 license, the department may consider any action by the applicant, or by an employe
6 of the applicant, that constitutes a substantial failure by the applicant or employe
7 to protect and promote the health, safety and welfare of a child. Upon satisfactory
8 completion of this investigation and payment of the fee required under s. 48.615 (1)
9 (a) or (b), 48.625 (2) (a), 48.65 (3) (a) or 938.22 (7) (b), the department shall issue a
10 license under s. 48.66 (1) (a) or, if applicable, a probationary license under s. 48.69
11 or, if applicable, shall continue a license under s. 48.66 (5). At the time of initial
12 licensure and license renewal, the department shall provide a foster home licensee
13 with written information relating to the age-related monthly foster care rates and
14 supplemental payments specified in s. 48.62 (4), including payment amounts,
15 eligibility requirements for supplemental payments and the procedures for applying
16 for supplemental payments.

17 **SECTION 1153m.** 48.66 (2) of the statutes is amended to read:

18 48.66 (2) The department shall prescribe application forms to be used by all
19 applicants for licenses from it. The application forms prescribed by the department
20 shall require that the social security numbers of all applicants for a license to operate
21 a child welfare agency, group home, shelter care facility or day care center who are
22 individuals, other than an individual who does not have a social security number and
23 who submits a statement made or subscribed under oath or affirmation as required
24 under sub. (2m) (a) 2., be provided and that the federal employer identification

1 numbers of all applicants for a license to operate a child welfare agency, group home,
2 shelter care facility or day care center who are not individuals be provided.

3 **SECTION 1154c.** 48.66 (2m) (a) of the statutes is renumbered 48.66 (2m) (a) 1.
4 and amended to read:

5 48.66 (2m) (a) 1. The Except as provided in subd. 2., the department of health
6 and family services shall require each applicant for a license under sub. (1) to operate
7 a child welfare agency, group home, shelter care facility or day care center who is an
8 individual to provide that department with the applicant's social security number,
9 and shall require each applicant for a license under sub. (1) to operate a child welfare
10 agency, group home, shelter care facility or day care center who is not an individual
11 to provide that department with the applicant's federal employer identification
12 number, when initially applying for or applying to continue the license.

13 **SECTION 1154g.** 48.66 (2m) (a) 2. of the statutes is created to read:

14 48.66 (2m) (a) 2. If an applicant who is an individual does not have a social
15 security number, the applicant shall submit a statement made or subscribed under
16 oath or affirmation to the department of health and family services that the
17 applicant does not have a social security number. The form of the statement shall
18 be prescribed by the department of workforce development. A license issued in
19 reliance upon a false statement submitted under this subdivision is invalid.

20 **SECTION 1155c.** 48.66 (2m) (am) of the statutes is renumbered 48.66 (2m) (am)
21 1. and amended to read:

22 48.66 (2m) (am) 1. The Except as provided in subd. 2., the department of
23 corrections shall require each applicant for a license under sub. (1) to operate a
24 secured child caring institution who is an individual to provide that department with

1 the applicant's social security number when initially applying for or applying to
2 renew the license.

3 **SECTION 1155g.** 48.66 (2m) (am) 2. of the statutes is created to read:

4 48.66 (2m) (am) 2. If an applicant who is an individual does not have a social
5 security number, the applicant shall submit a statement made or subscribed under
6 oath or affirmation to the department of corrections that the applicant does not have
7 a social security number. The form of the statement shall be prescribed by the
8 department of workforce development. A license issued in reliance upon a false
9 statement submitted under this subdivision is invalid.

10 **SECTION 1156c.** 48.66 (2m) (b) of the statutes is amended to read:

11 48.66 (2m) (b) The If an applicant who is an individual fails to provide the
12 applicant's social security number to the department of health and family services
13 or if an applicant who is not an individual fails to provide the applicant's federal
14 employer identification number to that department, that department of health and
15 family services may not issue or continue a license under sub. (1) to operate a child
16 welfare agency, group home, shelter care facility or day care center to or for an the
17 applicant who is an individual unless the applicant has provided the applicant's is
18 an individual who does not have a social security number to that department and
19 may not issue or continue a license under sub. (1) to operate a child welfare agency,
20 group home, shelter care facility or day care center to or for an applicant who is not
21 an individual unless the applicant has provided the applicant's federal employer
22 identification number to that department and the applicant submits a statement
23 made or subscribed under oath or affirmation as required under par. (a) 2.

24 **SECTION 1157c.** 48.66 (2m) (bm) of the statutes is amended to read:

1 48.66 (2m) (bm) The If an applicant who is an individual fails to provide the
2 applicant's social security number to the department of corrections, that department
3 of corrections may not issue or renew a license under sub. (1) to operate a secured
4 child caring institution to or for ~~an~~ the applicant who is an individual unless the
5 applicant ~~has provided the applicant's~~ does not have a social security number to that
6 department and the applicant submits a statement made or subscribed under oath
7 or affirmation as required under par. (am) 2.

8 **SECTION 1157m.** 48.66 (2m) (c) of the statutes is amended to read:

9 48.66 (2m) (c) The department of health and family services may not disclose
10 any information obtained under par. (a) 1. to any person except to the department
11 of revenue for the sole purpose of requesting certifications under s. 73.0301 or on the
12 request of the department of workforce development under s. 49.22 (2m).

13 **SECTION 1157p.** 48.66 (2m) (cm) of the statutes is amended to read:

14 48.66 (2m) (cm) The department of corrections may not disclose any
15 information obtained under par. (am) 1. to any person except on the request of the
16 department of workforce development under s. 49.22 (2m).

17 **SECTION 1151d.** 48.651 (2m) of the statutes is amended to read:

18 48.651 (2m) Each county department shall provide the department with
19 information about each person who is denied certification for a reason specified in
20 s. 48.685 (2) (4m) (a) 1. to 5.

21 **SECTION 1159d.** 48.685 (1) (a) of the statutes is renumbered 48.685 (1) (am).

22 **SECTION 1159g.** 48.685 (1) (ag) of the statutes is created to read:

23 48.685 (1) (ag) 1. "Caregiver" means any of the following:

24 a. A person who is, or is expected to be, an employe or contractor of an entity,
25 who is or is expected to be under the control of the entity, as defined by the

1 department by rule, and who has, or is expected to have, regular, direct contact with
2 clients of the entity.

3 b. A person who has, or is seeking, a license, certification or contract to operate
4 an entity.

5 2. "Caregiver" does not include a person who is certified as an emergency
6 medical technician under s. 146.50 if the person is employed, or seeking employment,
7 as an emergency medical technician.

8 **SECTION 1159m.** 48.685 (1) (ar) of the statutes is created to read:

9 48.685 (1) (ar) "Contractor" means, with respect to an entity, a person, or that
10 person's agent, who provides services to the entity under an express or implied
11 contract or subcontract, including a person who has staff privileges at the entity.

12 **SECTION 1159p.** 48.685 (1) (av) of the statutes is created to read:

13 48.685 (1) (av) "Direct contact" means face-to-face physical proximity to a
14 client that affords the opportunity to commit abuse or neglect of a client or to
15 misappropriate the property of a client.

16 **SECTION 1159r.** 48.685 (1) (b) of the statutes is amended to read:

17 48.685 (1) (b) "Entity" means a child welfare agency that is licensed under s.
18 48.60 to provide care and maintenance for children, to place children for adoption or
19 to license foster homes or treatment foster homes; a foster home or treatment foster
20 home that is licensed under s. 48.62; a group home that is licensed under s. 48.625;
21 a shelter care facility that is licensed under s. 938.22; a day care center that is
22 licensed under s. 48.65 or established or contracted for under s. 120.13 (14); ~~or~~ a day
23 care provider that is certified under s. 48.651; or a temporary employment agency
24 that provides caregivers to another entity.

25 **SECTION 1160d.** 48.685 (1) (bg) of the statutes is amended to read:

1 48.685 (1) (bg) “Foster home” includes a placement for adoption under s. 48.833
2 (1) of a child for whom adoption assistance will be provided under s. 48.975 after the
3 adoption is finalized.

4 **SECTION 1160e.** 48.685 (1) (bm) of the statutes is created to read:

5 48.685 (1) (bm) “Nonclient resident” means a person who resides, or is expected
6 to reside, at an entity, who is not a client of the entity and who has, or is expected to
7 have, regular, direct contact with clients of the entity.

8 **SECTION 1160em.** 48.685 (1) (br) of the statutes is created to read:

9 48.685 (1) (br) “Reservation” means land in this state within the boundaries
10 of a reservation of a tribe or within the bureau of Indian affairs service area for the
11 Ho-Chunk Nation.

12 **SECTION 1160f.** 48.685 (1) (c) of the statutes is repealed and recreated to read:

13 48.685 (1) (c) “Serious crime” means a violation of s. 940.01, 940.02, 940.03,
14 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3),
15 940.285 (2), 940.29, 940.295, 948.02 (1) or (2), 948.025, 948.03 (2), 948.05, 948.055,
16 948.06, 948.07, 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 or
17 a violation of the law of any other state or United States jurisdiction that would be
18 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6),
19 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),
20 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),
21 948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.

22 **SECTION 1160g.** 48.685 (1) (d) of the statutes is amended to read:

23 48.685 (1) (d) “Treatment foster home” includes a placement for adoption under
24 s. 48.833 (1) of a child for whom adoption assistance will be provided under s. 48.975
25 after the adoption is finalized.