



SECTION 550. 253.06 (7) of the statutes is renumbered 49.17 (7).

SECTION 551. 253.06 (8) of the statutes is renumbered 49.17 (8).

SECTION 552. 253.15 (2) of the statutes is amended to read:

253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or arrange with a nonprofit organization to prepare printed and audiovisual materials relating to shaken baby syndrome and impacted babies. The materials shall include information regarding the identification and prevention of shaken baby syndrome and impacted babies, the grave effects of shaking or throwing on an infant or young child, appropriate ways to manage crying, fussing, or other causes that can lead a person to shake or throw an infant or young child, and a discussion of ways to reduce the risks that can lead a person to shake or throw an infant or young child. The materials shall be prepared in English, Spanish, and other languages spoken by a significant number of state residents, as determined by the board. The board shall make those written and audiovisual materials available to all hospitals, maternity homes, and nurse-midwives licensed under s. 441.15 that are required to provide or make available materials to parents under sub. (3) (a) 1., to the department and to all county departments and nonprofit organizations that are required to provide the materials to day care providers under sub. (4), and to all school boards and nonprofit organizations that are permitted to provide the materials to pupils in one of grades 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make those written materials available to all county departments and Indian tribes that are providing home visitation services under s. ~~46.515~~ 48.983 (4) (b) 1. or 2. and to all providers of prenatal, postpartum, and young child care coordination services under s. 49.45 (44). The board may make available the materials required under this

subsection to be made available by making those materials available at no charge on the board's Internet site.

History: 2005 a. 165.

SECTION 553. 253.15 (6) of the statutes is amended to read:

253.15 (6) INFORMATION TO HOME VISITATION OR CARE COORDINATION SERVICES RECIPIENTS. A county department or Indian tribe that is providing home visitation services under s. 46.515 48.983 (4) (b) 1. or 2. and a provider of prenatal, postpartum, and young child care coordination services under s. 49.45 (44) shall provide to a recipient of those services, without cost, a copy of the written materials purchased or prepared under sub. (2) and an oral explanation of those materials.

History: 2005 a. 165.

SECTION 554. 253.15 (7) (e) of the statutes is amended to read:

253.15 (7) (e) A county department or Indian tribe that is providing home visitation services under s. 46.515 48.983 (4) (b) 1. or 2. and a provider of prenatal, postpartum, and young child care coordination services under s. 49.45 (44) is immune from liability for any damages resulting from any good faith act or omission in providing or failing to provide the written materials and oral explanation specified in sub. (6).

History: 2005 a. 165.

SECTION 555. 253.15 (8) of the statutes is amended to read:

253.15 (8) IDENTIFICATION OF SHAKEN OR IMPACTED BABIES. The department of health and family services shall identify all infants and young children who have shaken baby syndrome or who are impacted babies and all infants and young children who have died as a result of being shaken or thrown by using the statewide automated child welfare information system established under s. 46.03 (7) (g) 48.47 (7g) and child fatality information compiled by the department of justice. For each infant or young child so identified, the department of health and family services shall

~~s. 46.03 (7g)~~

LPS:
This is odd but necessary to fix brackets.

document the age, sex, and other characteristics of the infant or young child that are relevant to the prevention of shaken baby syndrome and impacted babies and, if known, the age, sex, employment status, and residence of the person who shook or threw the infant or young child, the relationship of that person to the infant or young child, and any other characteristics of that person that are relevant to the prevention of shaken baby syndrome and impacted babies.

~~Note: NOTE: The correct cross-reference is shown in brackets. Corrective legislation is pending. Note.~~

History: 2005 a. 165.

SECTION 556. 301.26 (4) (c) of the statutes is amended to read:

301.26 (4) (c) Notwithstanding pars. (a), (b), and (bm), the department of corrections shall pay, from the appropriation under s. 20.410 (3) (hm), (ho), or (hr), the costs of care, services, and supplies provided for each person receiving services under s. 46.057, 48.366, 51.35 (3), 938.183, or 938.34 who was under the guardianship of the department of ~~health and family services~~ children and families pursuant to an order under ch. 48 at the time that the person was adjudicated delinquent.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 13.93 (2) (c).

SECTION 557. 301.37 (1) of the statutes is amended to read:

301.37 (1) The department shall fix reasonable standards and regulations for the design, construction, repair, and maintenance of all houses of correction, reforestation camps maintained under s. 303.07, jails, as defined in s. 302.30, extensions of jails under s. 59.54 (14) (g), rehabilitation facilities under s. 59.53 (8), lockup facilities, as defined in s. 302.30, work camps under s. 303.10, Huber facilities under s. 303.09, and, after consulting with the department of ~~health and family services~~ children and families, all juvenile detention facilities, with respect to their adequacy and fitness for the needs which they are to serve.

History: 1989 a. 31, 107; 1993 a. 48; 1995 a. 27 s. 9126 (19); 1995 a. 201, 281; 1997 a. 27, 35; 1999 a. 9; 2005 a. 344.

SECTION 558

SECTION 558. 301.46 (4) (a) 10m. of the statutes is created to read:

301.46 (4) (a) 10m. The department children and families.

SECTION 559. 440.03 (12m) of the statutes is amended to read:

440.03 (12m) The department of regulation and licensing shall cooperate with the departments of justice, children and families, and health and family services in developing and maintaining a computer linkup to provide access to information regarding the current status of a credential issued to any person by the department of regulation and licensing, including whether that credential has been restricted in any way.

History: 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25.

SECTION 560. 560.9806 (1) (a) 3. of the statutes is amended to read:

560.9806 (1) (a) 3. A community action agency under s. ~~46.30~~ 49.265.

History: 1991 a. 39, 269; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33 s. 156; Stats. 2003 s. 560.9806.

SECTION 561. 562.06 (3) of the statutes is amended to read:

562.06 (3) DAY CARE. Nothing in this section prohibits a licensee from operating a day care area at a track if the day care area is licensed by the department of health and family services children and families under s. 48.65.

History: 1987 a. 354; 1989 a. 31; 1995 a. 27 s. 9126 (19).

SECTION 562. 701.06 (5) (intro.) of the statutes is amended to read:

701.06 (5) CLAIMS FOR PUBLIC SUPPORT. (intro.) Notwithstanding any provision in the creating instrument or subs. (1) and (2), if the settlor is legally obligated to pay for the public support of a beneficiary under s. 46.10, 49.345, or 301.12 or the beneficiary is legally obligated to pay for the beneficiary's public support or that furnished the beneficiary's spouse or minor child under s. 46.10, 49.345, or 301.12,

upon application by the appropriate state department or county official, the court may:

History: 1971 c. 66; 1977 c. 309, 418; 1985 a. 176; 1991 a. 316; 1997 a. 237; 2005 a. 216.

SECTION 563. 767.001 (2) (b) of the statutes is amended to read:

767.001 (2) (b) With respect to the department of ~~health and family services~~ children and families or a county agency specified in s. 48.56 (1) or a licensed child welfare agency granted legal custody of a child, the rights and responsibilities specified under s. 48.02 (12).

History: 1987 a. 355; 1995 a. 100, 279, 404; 1997 a. 3, 27, 35; 2005 a. 174; 2005 a. 443 ss. 7, 8, 15, 16.

SECTION 564. 767.205 (2) (a) 3. of the statutes is amended to read:

767.205 (2) (a) 3. Whenever aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645, 49.19, or 49.45 is provided on behalf of a dependent child or benefits are provided to the child's custodial parent under ss. 49.141 to 49.161.

History: 1977 c. 418; 1979 c. 32 s. 50; 1979 c. 352 s. 39; Stats. 1979 s. 767.075; 1983 a. 27 s. 2202 (57); 1987 a. 413; 1989 a. 31; 1993 a. 326, 481; 1995 a. 27 s. 9126 (19); 1995 a. 201, 275, 289, 404; 1997 a. 35, 105; 2005 a. 443 ss. 30, 32, 37, 81.

SECTION 565. 767.205 (2) (a) 4. of the statutes is amended to read:

767.205 (2) (a) 4. Whenever aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645, 49.19, or 49.45 has, in the past, been provided on behalf of a dependent child, or benefits have, in the past, been provided to the child's custodial parent under ss. 49.141 to 49.161, and the child's family is eligible for continuing child support services under 45 CFR 302.33.

History: 1977 c. 418; 1979 c. 32 s. 50; 1979 c. 352 s. 39; Stats. 1979 s. 767.075; 1983 a. 27 s. 2202 (57); 1987 a. 413; 1989 a. 31; 1993 a. 326, 481; 1995 a. 27 s. 9126 (19); 1995 a. 201, 275, 289, 404; 1997 a. 35, 105; 2005 a. 443 ss. 30, 32, 37, 81.

SECTION 566. 767.217 (1) of the statutes is amended to read:

767.217 (1) NOTICE OF PLEADING OR MOTION. In an action affecting the family in which either party is a recipient of benefits under ss. 49.141 to 49.161 or aid under s. ~~46.261~~, 48.645, 49.19, or 49.45, each party shall, either within 20 days after serving the opposite party with a motion or pleading requesting the court to order or to modify a previous order relating to child support, maintenance, or family support,

or before filing the motion or pleading in court, serve a copy of the motion or pleading on the county child support agency under s. 59.53 (5) of the county in which the action is begun.

History: 1977 c. 418; 1979 c. 32 s. 50; 1979 c. 196; 1979 c. 352 s. 39; Stats. 1979 s. 767.15; 1983 a. 27; 1987 a. 413; 1995 a. 27 s. 9126 (19); 1995 a. 201, 289, 404; 1997 a. 27, 35; 2001 a. 61; 2005 a. 443 s. 72; Stats. 2005 s. 767.217.

SECTION 567. 767.407 (1) (c) 1. of the statutes is amended to read:

767.407 (1) (c) 1. Aid is provided under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645, 49.19, or 49.45 on behalf of the child, or benefits are provided to the child's custodial parent under ss. 49.141 to 49.161, but the state and its delegate under s. 49.22 (7) are barred by a statute of limitations from commencing an action under s. 767.80 on behalf of the child.

History: Sup. Ct. Order, 50Wis. 2d vii (1971); 1977 c. 105, 299; 1979 c. 32 ss. 50, 92 (4); 1979 c. 196; 1979 c. 352 s. 39; Stats. 1979 s. 767.045; 1987 a. 355; Sup. Ct. Order, 151 Wis. 2d xxv (1989); 1993 a. 16, 481; 1995 a. 27, 201, 289, 404; 1997 a. 105, 191; 1999 a. 9; 2001 a. 61; 2003 a. 130; 2005 a. 443 s. 25; Stats. 2005 s. 767.407.

SECTION 568. 767.451 (7) of the statutes is amended to read:

767.451 (7) TRANSFER TO DEPARTMENT. The court may order custody transferred to the department of ~~health and family services~~ children and families only if that department agrees to accept custody.

History: 1987 a. 355, 364; 1995 a. 27 s. 9126 (19); 1999 a. 9; 2003 a. 130; 2005 a. 101; 2005 a. 443 ss. 160 to 162; Stats. 2005 s. 767.451; 2005 a. 471 ss. 6 to 8; s. 13.93 (1) (b) and (2) (c).

SECTION 569. 767.521 (intro.) of the statutes is amended to read:

767.521 Action by state for child support. (intro.) The state or its delegate under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.001 (1) (f) or for paternity determination and child support under s. 767.80 if the child's right to support is assigned to the state under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the following apply:

History: 1987 a. 27; 1995 a. 289, 404; 1997 a. 27, 105; 2005 a. 443 s. 38; Stats. 2005 s. 767.521.

SECTION 570. 767.55 (3) (a) 2. of the statutes is amended to read:

767.55 (3) (a) 2. The child's right to support is assigned to the state under s. 46.261 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b.

History: 2005 a. 443 ss. 40, 41, 107, 108, 135, 136, 223.

SECTION 571. 767.57 (1m) (c) of the statutes is amended to read:

767.57 (1m) (c) The party entitled to the support or maintenance money or a minor child of the party has applied for or is receiving aid under s. ~~46.261~~ 48.645 or public assistance under ch. 49 and there is an assignment to the state under s. ~~46.261~~ 48.645 (3) or 49.19 (4) (h) 1. b. of the party's right to the support or maintenance money.

History: 1971 c. 41 s. 12; Sup. Ct. Order, 67 Wis. 2d 585, 775 (1975); 1975 c. 82, 200; 1975 c. 401 s. 4; 1977 c. 105 s. 59; 1977 c. 271, 418, 447; 1979 c. 32 ss. 50, 92 (4); 1979 c. 257 s. 17; Stats. 1979 s. 767.29; 1981 c. 20 s. 2202 (20) (m); 1983 a. 27, 302; 1985 a. 29, 176; 1991 a. 39; 1993 a. 481; 1995 a. 27 ss. 7104tm, 9126 (19), 9130 (4); 1995 a. 77, 279, 289, 404; 1997 a. 27, 35, 105, 191, 252; 1999 a. 9; 2001 a. 16, 59, 61, 105; 2005 a. 25, 387; 2005 a. 443 ss. 127 to 132, 144, 225; Stats. 2005 s. 767.57; s. 13.93 (2) (c).

SECTION 572. 767.57 (2) of the statutes is amended to read:

767.57 (2) PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to maintenance or support, or both, is receiving public assistance under ch. 49, the party may assign the party's right to support or maintenance to the county department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment shall be approved by order of the court granting the maintenance or support. The assignment may not be terminated if there is a delinquency in the amount to be paid to the assignee of maintenance and support previously ordered without the written consent of the assignee or upon notice to the assignee and a hearing. When an assignment of maintenance or support, or both, has been approved by the order, the assignee shall be deemed a real party in interest within s. 803.01 solely for the purpose of securing payment of unpaid maintenance or support ordered to be paid, by participating in proceedings to secure the payment of unpaid amounts. Notwithstanding assignment under this subsection, and without further order of the court, the department or its designee, upon receiving notice that a party or a minor

child of the parties is receiving aid under s. ~~46.261~~ 48.645 or public assistance under ch. 49 or that a kinship care relative or long-term kinship care relative of the minor child is receiving kinship care payments or long-term kinship care payments for the minor child, shall forward all support assigned under s. ~~46.261 (3)~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. ~~46.261 (3)~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19).

History: 1971 c. 41 s. 12; Sup. Ct. Order, 67 Wis. 2d 585, 775 (1975); 1975 c. 82, 200; 1975 c. 401 s. 4; 1977 c. 105 s. 59; 1977 c. 271, 418, 447; 1979 c. 32 ss. 50, 92 (4); 1979 c. 257 s. 17; Stats. 1979 s. 767.29; 1981 c. 20 s. 2202 (20) (m); 1983 a. 27, 302; 1985 a. 29, 176; 1991 a. 39; 1993 a. 481; 1995 a. 27 ss. 7104tm, 9126 (19), 9130 (4); 1995 a. 77, 279, 289, 404; 1997 a. 27, 35, 105, 191, 252; 1999 a. 9; 2001 a. 16, 59, 61, 105; 2005 a. 25, 387; 2005 a. 443 ss. 127 to 132, 144, 225; Stats. 2005 s. 767.57; s. 13.93 (2) (c).

SECTION 573. 767.57 (4) of the statutes is amended to read:

767.57 (4) PROCEDURE FOR CERTAIN CHILD RECIPIENTS. If an order or judgment providing for the support of one or more children not receiving aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645, or 49.19 includes support for a minor who is the beneficiary of aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645, or 49.19, any support payment made under the order or judgment is assigned to the state under s. ~~46.261 (3)~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b. in the amount that is the proportionate share of the minor receiving aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645, or 49.19, except as otherwise ordered by the court on the motion of a party.

History: 1971 c. 41 s. 12; Sup. Ct. Order, 67 Wis. 2d 585, 775 (1975); 1975 c. 82, 200; 1975 c. 401 s. 4; 1977 c. 105 s. 59; 1977 c. 271, 418, 447; 1979 c. 32 ss. 50, 92 (4); 1979 c. 257 s. 17; Stats. 1979 s. 767.29; 1981 c. 20 s. 2202 (20) (m); 1983 a. 27, 302; 1985 a. 29, 176; 1991 a. 39; 1993 a. 481; 1995 a. 27 ss. 7104tm, 9126 (19), 9130 (4); 1995 a. 77, 279, 289, 404; 1997 a. 27, 35, 105, 191, 252; 1999 a. 9; 2001 a. 16, 59, 61, 105; 2005 a. 25, 387; 2005 a. 443 ss. 127 to 132, 144, 225; Stats. 2005 s. 767.57; s. 13.93 (2) (c).

SECTION 574. 767.59 (1c) (a) (intro.) of the statutes is amended to read:

767.59 (1c) (a) (intro.) On the petition, motion, or order to show cause of either of the parties, the department, a county department under s. 46.215, 46.22, or 46.23, or a county child support agency under s. 59.53 (5) if an assignment has been made under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h), or 49.45 (19)

- * or if either party or their minor children receive aid under s. 48.57 (3m) or (3n) ^{or} _^
 * 48.645 or ch. 49, a court may, except as provided in par. (b), do any of the following:

History: 1971 c. 220; 1977 c. 105 ss. 38, 48, 49; 1977 c. 418; 1979 c. 32 ss. 50, 92 (4); Stats. 1979 s. 767.32; 1981 c. 20 s. 2202 (20) (m); 1981 c. 314 s. 146; 1983 a. 27; 1985 a. 176; 1987 a. 27, 355, 413; 1989 a. 212; 1991 a. 39; 1993 a. 16, 481, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 201, 225, 279, 289, 404, 417; 1997 a. 27, 35, 105, 191, 237, 273; 1999 a. 9, 103; 2001 a. 16, 61, 105; 2005 a. 443 ss. 147 to 159, 227, 228; Stats. 2005 s. 767.59.

SECTION 575. 767.59 (1f) (b) 4. of the statutes is amended to read:

767.59 (1f) (b) 4. A difference between the amount of child support ordered by the court to be paid by the payer and the amount that the payer would have been required to pay based on the percentage standard established by the department under s. 49.22 (9) if the court did not use the percentage standard in determining the child support payments and did not provide the information required under s. 46.10 (14) (d), 49.345 (14) (d), 301.12 (14) (d), or 767.511 (1n), whichever is appropriate.

History: 1971 c. 220; 1977 c. 105 ss. 38, 48, 49; 1977 c. 418; 1979 c. 32 ss. 50, 92 (4); Stats. 1979 s. 767.32; 1981 c. 20 s. 2202 (20) (m); 1981 c. 314 s. 146; 1983 a. 27; 1985 a. 176; 1987 a. 27, 355, 413; 1989 a. 212; 1991 a. 39; 1993 a. 16, 481, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 201, 225, 279, 289, 404, 417; 1997 a. 27, 35, 105, 191, 237, 273; 1999 a. 9, 103; 2001 a. 16, 61, 105; 2005 a. 443 ss. 147 to 159, 227, 228; Stats. 2005 s. 767.59.

SECTION 576. 767.59 (2) (c) of the statutes is amended to read:

767.59 (2) (c) If the court revises a judgment or order providing for child support that was entered under s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) (a) or 938.363 (2), the court shall determine child support in the manner provided in s. ~~46.10~~ 49.345 (14) or 301.12 (14), whichever is applicable.

History: 1971 c. 220; 1977 c. 105 ss. 38, 48, 49; 1977 c. 418; 1979 c. 32 ss. 50, 92 (4); Stats. 1979 s. 767.32; 1981 c. 20 s. 2202 (20) (m); 1981 c. 314 s. 146; 1983 a. 27; 1985 a. 176; 1987 a. 27, 355, 413; 1989 a. 212; 1991 a. 39; 1993 a. 16, 481, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 201, 225, 279, 289, 404, 417; 1997 a. 27, 35, 105, 191, 237, 273; 1999 a. 9, 103; 2001 a. 16, 61, 105; 2005 a. 443 ss. 147 to 159, 227, 228; Stats. 2005 s. 767.59.

SECTION 577. 767.59 (2s) of the statutes is amended to read:

767.59 (2s) STIPULATION FOR REVISION OF SUPPORT. In an action under sub. (1c), the court may not approve a stipulation for the revision of a judgment or order with respect to an amount of child support or family support unless the stipulation provides for payment of an amount of child support or family support that is

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determined in the manner required under s. 46.10 (14), 49.345 (14), 301.12 (14), 767.511, 767.805 (4), or 767.89, whichever is appropriate.

History: 1971 c. 220; 1977 c. 105 ss. 38, 48, 49; 1977 c. 418; 1979 c. 32 ss. 50, 92 (4); Stats. 1979 s. 767.32; 1981 c. 20 s. 2202 (20) (m); 1981 c. 314 s. 146; 1983 a. 27; 1985 a. 176; 1987 a. 27, 355, 413; 1989 a. 212; 1991 a. 39; 1993 a. 16, 481, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 201, 225, 279, 289, 404, 417; 1997 a. 27, 35, 105, 191, 237, 273; 1999 a. 9, 103; 2001 a. 16, 61, 105; 2005 a. 443 ss. 147 to 159, 227, 228; Stats. 2005 s. 767.59.

SECTION 578. 767.87 (2m) of the statutes is amended to read:

767.87 (2m) ADMISSIBILITY OF CERTAIN MEDICAL AND GENETIC INFORMATION.

Medical and genetic information filed with the department of ~~health and family services~~ children and families or the court under s. 48.425 (1) (am) or (2) is not admissible to prove the paternity of the child.

History: 1979 c. 352; 1981 c. 20 s. 2202 (20) (m); 1981 c. 359 ss. 13, 17; 1983 a. 447; 1987 a. 413; 1989 a. 31, 122, 212; 1993 a. 395, 481; 1995 a. 27 s. 9126 (19); 1995 a. 77, 100, 275, 289, 404; 1997 a. 27, 105, 191, 252; 1999 a. 185; 2005 a. 443 ss. 207, 258; Stats. 2005 s. 767.87.

SECTION 579. 767.87 (6) (a) of the statutes is amended to read:

767.87 (6) (a) Whenever the state brings the action to determine paternity pursuant to an assignment under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1. ²~~m~~ or 49.45 (19), or receipt of benefits under s. 49.148, 49.155, 49.157²~~m~~ or 49.159, the natural mother of the child may not be compelled to testify about the paternity of the child if it has been determined that the mother has good cause for refusing to cooperate in establishing paternity as provided in 42 USC 602 (a) (26) (B) and the federal regulations promulgated pursuant to this statute, as of July 1, 1981, and pursuant to any rules promulgated by the department which define good cause in accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B) in effect on July 1, 1981.

History: 1979 c. 352; 1981 c. 20 s. 2202 (20) (m); 1981 c. 359 ss. 13, 17; 1983 a. 447; 1987 a. 413; 1989 a. 31, 122, 212; 1993 a. 395, 481; 1995 a. 27 s. 9126 (19); 1995 a. 77, 100, 275, 289, 404; 1997 a. 27, 105, 191, 252; 1999 a. 185; 2005 a. 443 ss. 207, 258; Stats. 2005 s. 767.87.

SECTION 580. 769.201 (7) of the statutes is amended to read:

769.201 (7) The individual asserted parentage in a declaration of paternal interest filed with the department of ~~health and family services~~ children and families

under s. 48.025 or in a statement acknowledging paternity filed with the state registrar under s. 69.15 (3) (b) 1. or 3.

History: 1993 a. 326; 1995 a. 27 s. 9126 (19).

SECTION 581. 809.105 (13) of the statutes is amended to read:

809.105 (13) CERTAIN PERSONS BARRED FROM PROCEEDINGS. No parent, or guardian or legal custodian, if one has been appointed, or foster parent or treatment foster parent, if the minor has been placed in a foster home or treatment foster home, and the minor's parent has signed a waiver granting the department of ~~health and family services~~ children and families, a county department under s. 46.215, 46.22, or 46.23, the foster parent or the treatment foster parent the authority to consent to medical services or treatment on behalf of the minor, or adult family member, as defined in s. 48.375 (2) (b), of any minor who has initiated an appeal under this section may attend or intervene in any proceeding under this section.

History: 1991 a. 263, 315; 1993 a. 213, 446; 1995 a. 27 s. 9126 (19); 1995 a. 201, 224.

SECTION 582. 813.12 (5) (b) of the statutes is amended to read:

813.12 (5) (b) The clerk of circuit court shall provide the simplified forms provided under s. ~~46.95~~ 49.165 (3) (c) to help a person file a petition.

History: 1983 a. 204, 540; 1985 a. 29, 135; 1989 a. 193; 1993 a. 819; 1995 a. 71, 306; 1999 a. 162; 2001 a. 61, 109; 2003 a. 321; 2005 a. 387; 2005 a. 443 s. 265.

SECTION 583. 814.75 (22m) of the statutes is amended to read:

814.75 (22m) The supplemental food enforcement surcharge under s. ~~253.06~~ 49.17 (4) (c).

History: 2003 a. 139; 2005 a. 25, 172, 282, 288; 2005 a. 433 ss. 11 to 12; s. 13.93 (1) (b).

SECTION 584. 814.76 (15m) of the statutes is amended to read:

814.76 (15m) The supplemental food enforcement surcharge under s. ~~253.06~~ 49.17 (4) (c).

History: 2003 a. 139; 2005 a. 25, 282, 288; 2005 a. 433 ss. 13 to 14; s. 13.93 (1) (b).

SECTION 585. 814.80 (11) of the statutes is amended to read:

814.80 (11) The supplemental food enforcement surcharge under s. 253.06
49.17 (4) (c).

History: 2003 a. 139; 2005 a. 25.

SECTION 586. 859.07 (2) (a) (intro.) of the statutes is amended to read:

859.07 (2) (a) (intro.) The personal representative shall provide notice of the date set under s. 859.01 to the department of health and family services, the department of children and families, or the department of corrections, as applicable, and to the county clerk of the decedent's county of residence, as defined in s. 49.001 (6) if, at any time prior to or at the time of the decedent's death, any of the following applied:

History: 1977 c. 73; 1985 a. 29; 1989 a. 31, 96, 359; 1991 a. 39; 1995 a. 27 ss. 7191b to 7191c, 9126 (19); 1995 a. 77; 1997 a. 237; 1999 a. 9; 2001 a. 107.

SECTION 587. 859.07 (2) (a) 2. of the statutes is amended to read:

859.07 (2) (a) 2. The decedent was responsible for any obligation owing to the state or a county under s. 46.03 (18), 46.10, 48.36, 49.32 (1), 49.345, 301.03 (18), 301.12, or 938.36.

History: 1977 c. 73; 1985 a. 29; 1989 a. 31, 96, 359; 1991 a. 39; 1995 a. 27 ss. 7191b to 7191c, 9126 (19); 1995 a. 77; 1997 a. 237; 1999 a. 9; 2001 a. 107.

SECTION 588. 859.15 of the statutes is amended to read:

859.15 Effect of statute of limitations. Except as provided in ss. 46.10 (11), 49.08 and, 49.195 (1), 49.345 (11), and 301.12 (11), a claim shall not be allowed which that was barred by any statute of limitations at the time of the decedent's death. A claim shall not be barred by statutes of limitation which that was not barred at the time of the decedent's death if the claim is filed against the decedent's estate in the court on or before the deadline for filing a claim under s. 859.01.

History: 1977 c. 449; 1985 a. 29; 1989 a. 96.

SECTION 589. 895.45 (1) (a) of the statutes is amended to read:

895.45 (1) (a) "Abusive conduct" means domestic abuse, as defined under s. ~~46.95~~ 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under

s. 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss. 948.02 to 948.11.

History: 1991 a. 276; 1995 a. 220; 2001 a. 109; 2005 a. 155 s. 64; Stats. 2005 s. 895.45; 2005 a. 443 s. 265.

SECTION 590. 895.485 (4) (a) of the statutes is amended to read:

895.485 (4) (a) The agency has failed to provide the foster, treatment foster, or family-operated group home parent with any information relating to a medical, physical, mental, or emotional condition of the child that it is required to disclose under this paragraph. The department of ~~health and family services~~ children and families shall promulgate rules specifying the kind of information that an agency shall disclose to a foster, treatment foster, or family-operated group home parent which relates to a medical, physical, mental, or emotional condition of the child.

History: 1987 a. 377; 1989 a. 31; 1993 a. 446; 1995 a. 27 s. 9126 (19).

SECTION 591. 938.02 (6) of the statutes is amended to read:

938.02 (6) "Foster home" means any facility that is operated by a person required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for no more than 4 juveniles or, if necessary to enable a sibling group to remain together, for no more than 6 juveniles or, if the department of ~~health and family services~~ children and families promulgates rules permitting a different number of juveniles, for the number of juveniles permitted under those rules.

History: 1995 a. 77, 216, 352, 448; 1997 a. 27, 35, 181, 191; 1999 a. 9, 162; 2001 a. 16, 59; 2003 a. 33, 284; 2005 a. 232, 344, 387; 2005 a. 443 s. 265.

SECTION 592. 938.02 (7) of the statutes is amended to read:

938.02 (7) "Group home" means any facility operated by a person required to be licensed by the department of ~~health and family services~~ children and families under s. 48.625 for the care and maintenance of 5 to 8 juveniles.

History: 1995 a. 77, 216, 352, 448; 1997 a. 27, 35, 181, 191; 1999 a. 9, 162; 2001 a. 16, 59; 2003 a. 33, 284; 2005 a. 232, 344, 387; 2005 a. 443 s. 265.

SECTION 593. 938.02 (17) of the statutes is amended to read:

938.02 (17) "Shelter care facility" means a nonsecure place of temporary care and physical custody for juveniles, including a holdover room, licensed by the department of health and family services children and families under s. 48.66 (1) (a).

History: 1995 a. 77, 216, 352, 448; 1997 a. 27, 35, 181, 191; 1999 a. 9, 162; 2001 a. 16, 59; 2003 a. 33, 284; 2005 a. 232, 344, 387; 2005 a. 443 s. 265.

SECTION 594. 938.06 (1) (b) of the statutes is amended to read:

938.06 (1) (b) Notwithstanding par. (a), the county board of supervisors may make changes in the administration of services to the children's court center in order to qualify for the maximum amount of federal and state aid as provided in sub. (4) and s. ss. 46.495 and 48.569.

History: 1995 a. 77; 1997 a. 27, 205, 239; 2001 a. 61; 2005 a. 344.

SECTION 595. 938.06 (4) of the statutes is amended to read:

938.06 (4) STATE AID. State aid to any county for juvenile delinquency-related court services under this section shall be at the same net effective rate that each county is reimbursed for county administration under s. ~~46.495~~ 48.569, except as provided in s. 301.26. Counties having a population of less than 500,000 may use funds received under ss. ~~46.495~~ 48.569 (1) (d) and 301.26, including county or federal revenue sharing funds allocated to match funds received under s. ~~46.495~~ 48.569 (1) (d), for the cost of providing court attached intake services in amounts not to exceed 50% of the cost of providing court attached intake services or \$30,000 per county per calendar year, whichever is less.

History: 1995 a. 77; 1997 a. 27, 205, 239; 2001 a. 61; 2005 a. 344.

SECTION 596. 938.22 (1) (a) of the statutes is amended to read:

938.22 (1) (a) Subject to s. 48.66 (1) (b), the county board of supervisors of a county may establish a juvenile detention facility in accordance with ss. 301.36 and 301.37 or the county boards of supervisors for 2 or more counties may jointly establish a juvenile detention facility in accordance with ss. 46.20, 301.36, and 301.37. The county board of supervisors of a county may establish a shelter care

* facility in accordance with ss. ~~46.16 and 46.17~~ 48.576 and 48.578 or the county boards of supervisors for 2 or more counties may jointly establish a shelter care facility in accordance with ss. ~~46.16, 46.17, and 46.20~~, 48.576 and 48.578. A private entity may establish a juvenile detention facility in accordance with ss. 301.36 and 301.37 and contract with one or more county boards of supervisors under s. 938.222 to hold juveniles in the private juvenile detention facility.

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 352; 1997 a. 27, 35/252; 1999 a. 9; 2005 a. 344.

SECTION 597. 938.22 (2) (a) of the statutes is amended to read:

938.22 (2) (a) Counties shall submit plans for a juvenile detention facility or juvenile portion of the county jail to the department of corrections and submit plans for a shelter care facility to the department of health and family services children and families. A private entity that proposes to establish a juvenile detention facility shall submit plans for the facility to the department of corrections. The applicable department shall review the submitted plans. A county or a private entity may not implement a plan unless the applicable department has approved the plan. The department of corrections shall promulgate rules establishing minimum requirements for the approval and operation of juvenile detention facilities and the juvenile portion of county jails. The plans and rules shall be designed to protect the health, safety, and welfare of the juveniles placed in those facilities.

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 352; 1997 a. 27, 35/252; 1999 a. 9; 2005 a. 344.

SECTION 598. 938.22 (7) (a) of the statutes is amended to read:

938.22 (7) (a) No person may establish a shelter care facility without first obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to operate a shelter care facility, a person must meet the minimum requirements for a license established by the department of health and family services children and families under s. 48.67, meet the requirements specified in s. 48.685, and pay the

license fee under par. (b). A license issued under s. 48.66 (1) (a) to operate a shelter care facility is valid until revoked or suspended, but shall be reviewed every 2 years as provided in s. 48.66 (5).

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 352; 1997 a. 27, 35, 252; 1999 a. 9; 2005 a. 344.

SECTION 599. 938.22 (7) (b) of the statutes is amended to read:

938.22 (7) (b) Before the department of ~~health and family services~~ children and families may issue a license under s. 48.66 (1) (a) to operate a shelter care facility, the shelter care facility shall pay to that department a biennial fee of \$60.50, plus a biennial fee of \$18.15 per juvenile, based on the number of juveniles that the shelter care facility is licensed to serve. A shelter care facility that wishes to continue a license issued under s. 48.66 (1) (a) shall pay the fee by the continuation date of the license. A new shelter care facility shall pay the fee by no later than 30 days before the opening of the shelter care facility.

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 352; 1997 a. 27, 35, 252; 1999 a. 9; 2005 a. 344.

SECTION 600. 938.355 (2b) of the statutes is amended to read:

938.355 (2b) CONCURRENT REASONABLE EFFORTS PERMITTED. A county department or the agency primarily responsible for providing services to a juvenile under a court order may, at the same time as the county department or agency is making the reasonable efforts required under sub. (2) (b) 6. to prevent the removal of the juvenile from the home or to make it possible for the juvenile to return safely to his or her home, work with the department of ~~health and family services~~ children and families, a county department under s. 48.57 (1) (e) or (hm), or a child welfare agency licensed under s. 48.61 (5) in making reasonable efforts to place the juvenile for adoption, with a guardian, with a fit and willing relative, or in some other alternative permanent placement.

History: 1995 a. 77, 352; 1997 a. 27, 35, 205, 237, 239, 252; 1999 a. 9, 32, 103; 2001 a. 16, 69, 109; 2003 a. 50; 2005 a. 277, 344.

SECTION 601. 938.357 (4) (a) of the statutes is amended to read:

938.357 (4) (a) When the juvenile is placed with the department, the department may, after an examination under s. 938.50, place the juvenile in a juvenile correctional facility or a secured residential care center for children and youth or on aftercare supervision, either immediately or after a period of placement in a juvenile correctional facility or a secured residential care center for children and youth. The department shall send written notice of the change in placement to the parent, guardian, legal custodian, county department designated under s. 938.34 (4n), if any, and committing court. If the department places a juvenile in a Type 2 juvenile correctional facility operated by a child welfare agency, the department shall reimburse the child welfare agency at the rate established under s. ~~46.037~~ 49.343 that is applicable to the type of placement that the child welfare agency is providing for the juvenile. A juvenile who is placed in a Type 2 juvenile correctional facility or a secured residential care center for children and youth remains under the supervision of the department, remains subject to the rules and discipline of that department, and is considered to be in custody, as defined in s. 946.42 (1) (a).

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 275, 352; 1997 a. 27, 35, ~~80~~, 205, 237; 1999 a. 9, 103; 2001 a. 16, 103, 109; 2005 a. 344.

SECTION 602. 938.357 (4) (b) 2. of the statutes is amended to read:

938.357 (4) (b) 2. If a juvenile whom the court has placed in a Type 2 residential care center for children and youth under s. 938.34 (4d) violates a condition of his or her placement in the Type 2 residential care center for children and youth, the child welfare agency operating the Type 2 residential care center for children and youth shall notify the county department that has supervision over the juvenile and, if the county department agrees to a change in placement under this subdivision, the child welfare agency shall notify the department, and the department, after consulting with the child welfare agency, may place the juvenile in a Type 1 juvenile correctional

facility under the supervision of the department, without a hearing under sub. (1) (am) 2., for not more than 10 days. If a juvenile is placed in a Type 1 juvenile correctional facility under this subdivision, the county department that has supervision over the juvenile shall reimburse the child welfare agency operating the Type 2 residential care center for children and youth in which the juvenile was placed at the rate established under s. ~~46.037~~ 49.343, and that child welfare agency shall reimburse the department at the rate specified in s. 301.26 (4) (d) 2. or 3., whichever is applicable, for the cost of the juvenile's care while placed in a Type 1 juvenile correctional facility.

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 275, 352; 1997 a. 27, 35/80, 205, 237; 1999 a. 9, 103; 2001 a. 16, 103, 109; 2005 a. 344.

SECTION 603. 938.357 (4) (c) 1. of the statutes is amended to read:

938.357 (4) (c) 1. If a juvenile is placed in a Type 2 juvenile correctional facility operated by a child welfare agency under par. (a) and it appears that a less restrictive placement would be appropriate for the juvenile, the department, after consulting with the child welfare agency that is operating the Type 2 juvenile correctional facility, may place the juvenile in a less restrictive placement, and may return the juvenile to the Type 2 juvenile correctional facility without a hearing under sub. (1) (am) 2. The child welfare agency shall establish a rate for each type of placement in the manner provided in s. ~~46.037~~ 49.343.

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 275, 352; 1997 a. 27, 35/80, 205, 237; 1999 a. 9, 103; 2001 a. 16, 103, 109; 2005 a. 344.

SECTION 604. 938.357 (4) (c) 2. of the statutes is amended to read:

938.357 (4) (c) 2. If a juvenile is placed in a Type 2 residential care center for children and youth under s. 938.34 (4d) and it appears that a less restrictive placement would be appropriate for the juvenile, the child welfare agency operating the Type 2 residential care center for children and youth shall notify the county department that has supervision over the juvenile and, if the county department

agrees to a change in placement under this subdivision, the child welfare agency may place the juvenile in a less restrictive placement. A child welfare agency may also, with the agreement of the county department that has supervision over a juvenile who is placed in a less restrictive placement under this subdivision, return the juvenile to the Type 2 residential care center for children and youth without a hearing under sub. (1) (am) 2. The child welfare agency shall establish a rate for each type of placement in the manner provided in s. ~~46.037~~ 49.343.

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History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 275, 352; 1997 a. 27, 55, 80, 205, 237; 1999 a. 9, 103; 2001 a. 16, 103, 109; 2005 a. 344.

SECTION 605. 938.396 (2g) (b) of the statutes is amended to read:

938.396 (2g) (b) *Federal program monitoring.* Upon request of the department of health and family services, ^{plan} the department of ~~corrections~~ children and families, or a federal agency to review court records for the purpose of monitoring and conducting periodic evaluations of activities as required by and implemented under 45 CFR 1355, 1356, and 1357, the court shall open those records for inspection by authorized representatives of that department or federal agency.

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 352, 440, 448; 1997 a. 27, 35, 80, 95, 181, 205, 252, 258, 281; 1999 a. 9, 32, 89; 2001 a. 95; 2003 a. 82, 292; 2005 a. 344, 434; 2005 a. 443 s. 265; s. 13.93 (2) (c).

SECTION 606. 938.538 (6) of the statutes is amended to read:

938.538 (6) PURCHASE OF SERVICES. The department of ~~corrections~~ may contract with the department of health and family services, the department of children and families, a county department, or any public or private agency for the purchase of goods, care, and services for participants in the program under this section. The department of ~~corrections~~ shall reimburse a person from whom it purchases goods, care, or services under this subsection from the appropriation under s. 20.410 (3) (cg).

History: 1995 a. 77, 352; 1997 a. 27, 35; 2001 a. 16, 59; 2003 a. 33 ss. 2733, 9160; 2005 a. 344.

SECTION 607. 938.547 (2) of the statutes is amended to read:

938.547 (2) DEPARTMENT RESPONSIBILITIES. Within the availability of funding under s. ~~20.435 (7)~~ 20.437 (1) (mb) that is available for the pilot program, the department of ~~health and family services~~ children and families shall select counties to participate in the pilot program. Unless a county department of human services has been established under s. 46.23 in the county that is seeking to implement a pilot program, the application submitted to the department of ~~health and family services~~ children and families shall be a joint application by the county department that provides social services and the county department established under s. 51.42 or 51.437. The department of ~~health and family services~~ children and families shall select counties in accordance with the request-for-proposal procedures established by that department. The department of ~~health and family services~~ children and families shall give a preference to county applications that include a plan for case management.

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 448.

SECTION 608. 938.548 of the statutes is amended to read:

938.548 Multidisciplinary screen and assessment criteria. The department of ~~health and family services~~ children and families shall make the multidisciplinary screen developed under s. 938.547 (3) and the assessment criteria developed under s. 938.547 (4) available to all counties.

History: 1995 a. 27 s. 9126 (19); 1995 a. 77.

SECTION 609. 938.57 (3) (a) (intro.) of the statutes is amended to read:

938.57 (3) (a) (intro.) From the reimbursement received under s. ~~46.495~~ 48.569 (1) (d), counties may provide funding for the maintenance of any juvenile who meets all of the following qualifications:

History: 1995 a. 77; 1997 a. 27, 35; 1999 a. 9; 2001 a. 38, 59; 2005 a. 25, 293, 344; s. 13.93 (2) (c).

SECTION 610. 938.57 (3) (a) 3. of the statutes is amended to read:

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938.57 (3) (a) 3. Received funding under s. ~~46.495~~ 48.569 (1) (d) immediately prior to his or her 17th birthday.

History: 1995 a. 77; 1997 a. 27, 35; 1999 a. 9; 2001 a. 38, 59; 2005 a. 25, 293, 344; s. 13.93 (2) (c).

SECTION 611. 938.57 (3) (b) of the statutes is amended to read:

938.57 (3) (b) The funding provided for the maintenance of a juvenile under par.

(a) shall be in an amount equal to that to which the juvenile would receive under s.

~~46.495~~ 48.569 (1) (d) if the juvenile were 16 years of age.

History: 1995 a. 77; 1997 a. 27, 35; 1999 a. 9; 2001 a. 38, 59; 2005 a. 25, 293, 344; s. 13.93 (2) (c).

SECTION 612. 938.78 (2) (h) of the statutes is amended to read:

938.78 (2) (h) Paragraph (a) does not prohibit the department of ~~health and family services~~ children and families, a county department, or a licensed child welfare agency from entering the content of any record kept or information received by that department, county department, or licensed child welfare agency into the statewide automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 230, 352; 1997 a. 205, 207, 283; 1999 a. 9; 2001 a. 38, 59, 109; 2003 a. 292, 321; 2005 a. 25, 277, 293, 344, 406, 434; s. 13.93 (2) (c).

SECTION 613. 948.31 (1) (a) 2. of the statutes is amended to read:

948.31 (1) (a) 2. The department of ~~health and family services~~ children and families or the department of corrections or any person, county department under s. 46.215, 46.22, or 46.23, or licensed child welfare agency, if custody or supervision of the child has been transferred under ch. 48 or 938 to that department, person, or agency.

History: 1987 a. 332; 1989 a. 31, 56, 107; 1993 a. 302; 1995 a. 27 s. 7237, 9126 (19); 1995 a. 77; 1997 a. 290; 2001 a. 109; 2005 a. 130; 2005 a. 443 s. 265.

SECTION 614. 973.05 (2m) (r) of the statutes is amended to read:

973.05 (2m) (r) To payment of the enforcement surcharge under s. ~~253.06~~ 49.17 (4) (c) until paid in full.

History: 1977 c. 29; 1979 c. 34, 111; 1981 c. 20, 88, 352; 1983 a. 27, 535; 1985 a. 36; 1987 a. 27, 339, 398; 1989 a. 64, 107, 359; 1991 a. 39; 1993 a. 16; 1995 a. 227, 438, 448; 1997 a. 3, 27, 35, 148, 248; 1999 a. 9, 32; 2001 a. 16, 56, 105; 2003 a. 139; 2005 a. 25, 149, 282, 433; 2005 a. 443 s. 265; s. 13.93 (1) (b).

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SECTION 615

SECTION 615. 973.055 (3) of the statutes is amended to read:

973.055 (3) All moneys collected from domestic abuse surcharges shall be deposited by the secretary of administration in s. ~~20.435 (3)~~^{20.437 (1)}(hh) and utilized in accordance with s. ~~46.95~~ 49.165.

History: 1979 c. 111; 1979 c. 221 s. 2202 (20); 1979 c. 355; 1981 c. 20 s. 2202 (20) (s); 1983 a. 27 s. 2202 (20); 1987 a. 27; 1989 a. 31; 1991 a. 39; 1993 a. 262, 319; 1995 a. 27, 201, 343, 353; 1997 a. 27, 35, 143; 1999 a. 150 s. 672; 1999 a. 185; 2001 a. 16; 2003 a. 33, 139, 225, 326, 327.

SECTION 616. 995.67 (1) (a) of the statutes is amended to read:

995.67 (1) (a) "Domestic abuse" has the meaning given in s. ~~46.95~~ 49.165 (1) (a).

History: 1991 a. 228; 2005 a. 155 s. 61; Stats. 2005 s. 995.67.

SECTION 9121. Nonstatutory provisions; Health and Family Services.

(1) TRANSFER TO THE DEPARTMENT OF CHILDREN AND FAMILIES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and family services that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of children and families.

(b) *Employee transfers.*

1. The classified positions, and incumbent employees holding positions, in the department of health and family services relating primarily to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, are transferred to the department of children and families.

2. The classified positions, and incumbent employees holding positions, in the department of health and family services relating primarily to general administration and program support that the secretary of administration determines should be transferred to the department of children and families are transferred to that department. Upon determination of these employees, the secretary of health and family services shall, in conjunction with the secretary of workforce development, by the date that is established for submittal of requests for consideration at the 4th quarterly meeting for 2007 of the joint committee on finance under section 13.10 of the statutes, submit a plan to the joint committee on finance requesting the transfer of moneys between the general purpose revenue appropriations for the departments of health and family services and workforce development and the department of children and families, between the program revenue appropriations for the departments of health and family services and workforce development and the department of children and families, between the program revenue-service appropriations for the departments of health and family services and workforce development and the department of children and families, between the appropriations of given segregated funds for the departments of health and family services and workforce development and the department of children and families, and between the federal revenue appropriations for the departments of health and family services and workforce development and the department of children and families, if necessary to adjust previously allocated costs in accordance with the transfer of personnel.

(c) *Employee status.* Employees transferred under paragraph (b) shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of children and families that they enjoyed in the

department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family services that is primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, shall be transferred to the department of children and families.

(e) *Contracts.* All contracts entered into by the department of health and family services in effect on the effective date of this paragraph that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of children and families. The department of children and families shall carry out any such contractual obligations unless modified or rescinded by the department of children and families to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of health and family services that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, and that are in effect on the effective date of this paragraph remain

in effect until their specified expiration dates or until amended or repealed by the department of children and families. All orders issued by the department of health and family services that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of children and families.

(END)

Insert 126-23

Section #. 48.93 (1d) of the statutes is amended to read:

48.93 (1d) All records and papers pertaining to an adoption proceeding shall be kept in a separate locked file and may not be disclosed except under sub. (1g) or (1r), s. ~~46.03 (29)~~, 48.432, 48.433, 48.434, 48.48 (17) (a) 9. or 48.57 (1) (j), or by order of the court for good cause shown.

History: 1979 c. 34; 1981 c. 359; 1983 a. 471; 1989 a. 31; 1997 a. 27, 104, 252.

Adopt mt)

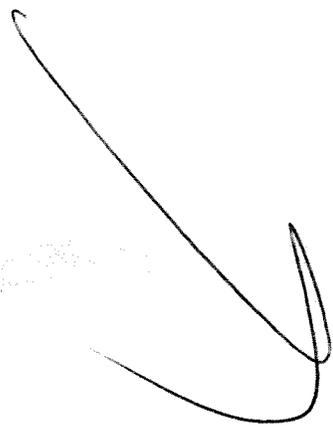
Inet 126-231

Section #. 48.839 (1) (e) of the statutes is amended to read:

49032 (1) (b) or 49034 5

48.839 (1) (e) This section does not preclude the department or any other agency given custody of a child under sub. (4) (b) from collecting under s. ~~46.03 (18) (b)~~ or ~~46.10~~ from the former guardian for costs in excess of the amount recovered under the bond incurred in enforcing the bond and providing care and maintenance for the child until he or she reaches age 18 or is adopted.

History: 1981 c. 81; 1985 a. 176; 1997 a. 27; 2005 a. 293.



Cert -185-15

Section #. 813.122 (6) (b) of the statutes is amended to read:

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813.122 (6) (b) Upon request, the clerk of circuit court shall provide, without cost, the simplified forms obtained under s. ~~46.03~~ (7) (d) to a petitioner.

History: 1985 a. 234; 1987 a. 332 s. 64; Sup. Ct. Order, 151 Wis. 2d xxv (1989); 1991 a. 276; 1993 a. 227, 318; 1995 a. 71, 275, 306, 456; 1997 a. 292; 2001 a. 61; 2005 a. 155, 272; 2005 a. 443 s. 265.

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