

1 **SECTION 176.** 46.22 (1) (dp) of the statutes is amended to read:

2 46.22 (1) (dp) *Exchange of information; statewide automated child welfare*
3 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
4 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
5 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
6 (2) (a), a county department under this section may enter the content of any record
7 kept or information received by that county department into the statewide
8 automated child welfare information system established under s. 46.03 ~~48.47~~ (7g).

9 **SECTION 177.** 46.22 (1) (e) 1. of the statutes is amended to read:

10 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and
11 services, a county department of social services may contract, either directly or
12 through the department of health and family services, the department of ~~workforce~~
13 ~~development~~ children and families, or the department of corrections, with public or
14 voluntary agencies or others to purchase, in full or in part, care and services which
15 the county department of social services is authorized by any statute to furnish in
16 any manner. The services may be purchased from the department of health and
17 family services, the department of ~~workforce development~~ children and families, or
18 the department of corrections if the department of health and family services, the
19 department of ~~workforce development~~ children and families, or the department of
20 corrections has staff to furnish the services. The county department of social
21 services, if it has adequate staff, may sell the care and services directly to another
22 county or state agency.

23 **SECTION 178.** 46.22 (1) (e) 2. of the statutes is amended to read:

24 46.22 (1) (e) 2. A county department of social services may purchase
25 development and training services from the department of health and family

1 services, the department of ~~workforce development~~ children and families, or the
2 department of corrections or from other county agencies if the services are available
3 or sell the development and staff training services to another county or state agency
4 if the county department of social services has adequate staff to provide the services.

5 **SECTION 179.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

6 46.22 (1) (e) 3. a. A county department of social services shall develop, under
7 the requirements of s. 46.036, plans and contracts for care and services, except under
8 ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of
9 health and family services may review the contracts and approve them if they are
10 consistent with s. 46.036 and to the extent that state or federal funds are available
11 for such purposes. The joint committee on finance may require the department of
12 health and family services to submit the contracts to the committee for review and
13 approval. The department of health and family services may not make any payments
14 to a county for programs included in the contract that is under review by the
15 committee. The department of health and family services shall reimburse each
16 county for the contracts from the appropriations under s. 20.435 (7) (b) and (o)
17 according to s. 46.495.

18 **SECTION 180.** 46.22 (1) (e) 3. b. of the statutes is amended to read:

19 46.22 (1) (e) 3. b. A county department of social services shall develop, under
20 the requirements of s. 49.34, plans and contracts for care and services under ch. 48
21 and subch. III of ch. 49 to be purchased. The department of ~~workforce development~~
22 children and families may review the contracts and approve them if they are
23 consistent with s. 49.34 and to the extent that state or federal funds are available for
24 such purposes. The joint committee on finance may require the department of
25 ~~workforce development~~ children and families to submit the contracts to the

1 committee for review and approval. The department of ~~workforce development~~
2 children and families may not make any payments to a county for programs included
3 in the contract that is under review by the committee.

4 **SECTION 181.** 46.22 (2g) (d) of the statutes is amended to read:

5 46.22 (2g) (d) Prepare, with the assistance of the county social services director
6 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or
7 county administrator, a final budget for submission to the department of health and
8 family services in accordance with s. 46.031 (1) for authorized services, except
9 services under ch. 48, subch. III of ch. 49, or s. 301.08 (2), a final budget for
10 submission to the department of ~~workforce development~~ children and families in
11 accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch.
12 49, and a final budget for submission to the department of corrections in accordance
13 with s. 301.031 (1) for authorized juvenile delinquency-related services.

14 **SECTION 182.** 46.22 (3m) (b) 12. of the statutes is amended to read:

15 46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the
16 department of health and family services, by the department of ~~workforce~~
17 ~~development~~ children and families, or by the department of corrections.

18 **SECTION 183.** 46.22 (3m) (b) 17. b. of the statutes is amended to read:

19 46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of
20 health and family services, the secretary of ~~workforce development~~ children and
21 families, the secretary of corrections, and the county board of supervisors.

22 **SECTION 184.** 46.23 (3) (a) of the statutes is amended to read:

23 46.23 (3) (a) *Creation.* Upon approval by the secretary of health and family
24 services, by the secretary of corrections, and by the secretary of ~~workforce~~
25 ~~development~~ children and families of a feasibility study and a program

1 implementation plan, the county board of supervisors of any county with a
2 population of less than 500,000, or the county boards of supervisors of 2 or more
3 contiguous counties, each of which has a population of less than 500,000, may
4 establish by resolution a county department of human services on a single-county
5 or multicounty basis to provide the services required under this section. The county
6 department of human services shall consist of the county human services board, the
7 county human services director and necessary personnel.

8 **SECTION 185.** 46.23 (3) (am) 4. of the statutes is amended to read:

9 46.23 (3) (am) 4. No funds may be allocated to any multicounty department of
10 human services until the counties have drawn up a detailed contractual agreement,
11 approved by the secretary of health and family services, by the secretary of
12 corrections, and by the secretary of ~~workforce development~~ children and families,
13 setting forth the plan for joint sponsorship.

14 **SECTION 186.** 46.23 (3) (ed) of the statutes is amended to read:

15 46.23 (3) (ed) *Exchange of information; statewide automated child welfare*
16 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
17 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
18 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
19 (2) (a), a county department under this section may enter the content of any record
20 kept or information received by that county department into the statewide
21 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

22 **SECTION 187.** 46.23 (5) (a) 1. of the statutes is amended to read:

23 46.23 (5) (a) 1. Shall determine administrative and program policies, except as
24 provided under ch. 48 and subch. III of ch. 49 and except for juvenile
25 delinquency-related policies, within limits established by the department of health

1 and family services. Policy decisions, except as provided under ch. 48 and subch. III
2 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute
3 for the department of health and family services may be delegated by the secretary
4 to the county human services board.

5 **SECTION 188.** 46.23 (5) (a) 2. of the statutes is amended to read:

6 46.23 (5) (a) 2. Shall determine administrative and program policies under ch.
7 48 and subch. III of ch. 49 within limits established by the department of ~~workforce~~
8 ~~development~~ children and families. Policy decisions under ch. 48 and subch. III of
9 ch. 49 not reserved by statute for the department of ~~workforce development~~ children
10 and families may be delegated by the secretary of ~~workforce development~~ children
11 and families to the county human services board.

12 **SECTION 189.** 46.23 (5) (b) of the statutes is amended to read:

13 46.23 (5) (b) Shall establish priorities in addition to those mandated by the
14 department of health and family services, the department of corrections, or the
15 department of ~~workforce development~~ children and families.

16 **SECTION 190.** 46.23 (5) (c) 1. of the statutes is amended to read:

17 46.23 (5) (c) 1. Shall determine whether state mandated services, except for
18 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related
19 services, are provided or purchased or contracted for with local providers, and
20 monitor the performance of such contracts. Purchase of services contracts shall be
21 subject to the conditions specified in s. 46.036.

22 **SECTION 191.** 46.23 (5) (c) 2. of the statutes is amended to read:

23 46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48
24 and subch. III of ch. 49 are provided or purchased or contracted for with local

1 providers, and monitor the performance of such contracts. Purchase of services
2 contracts shall be subject to the conditions specified in s. 49.34.

3 **SECTION 192.** 46.23 (5) (n) 1. of the statutes is amended to read:

4 46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for
5 authorized services, except for services under ch. 48 and subch. III of ch. 49 and
6 juvenile delinquency-related services. Notwithstanding the categorization of or
7 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval
8 of the department of health and family services the county human services board
9 may expend these funds consistent with any service provided under s. 46.495 or
10 51.42.

11 **SECTION 193.** 46.23 (5) (n) 2. of the statutes is amended to read:

12 46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for
13 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the
14 categorization of or limits specified for funds allocated under s. 48.569, with the
15 approval of the department of children and families the county human services board
16 may expend these funds consistent with any service provided under s. 48.569.

17 **SECTION 194.** 46.23 (5m) (c) of the statutes is amended to read:

18 46.23 (5m) (c) Prepare, with the assistance of the county human services
19 director under sub. (6m) (e), a proposed budget for submission to the county executive
20 or county administrator, a final budget for submission to the department of health
21 and family services in accordance with s. 46.031 (1) for authorized services, except
22 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related
23 services, a final budget for submission to the department of ~~workforce development~~
24 children and families in accordance with s. 49.325 for authorized services under ch.
25 48 and subch. III of ch. 49, and a final budget for submission to the department of

1 corrections in accordance with s. 301.031 for authorized juvenile
2 delinquency-related services.

3 **SECTION 195.** 46.23 (6) (a) (intro.) of the statutes is amended to read:

4 46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)
5 (f) shall have all of the administrative and executive powers and duties of managing,
6 operating, maintaining, and improving the programs of the county department of
7 human services, subject to the rules promulgated by the department of health and
8 family services for programs, except services or programs under ch. 48 and subch.
9 III of ch. 49 and juvenile delinquency-related services or programs, subject to the
10 rules promulgated by the department of workforce development children and
11 families for services or programs under ch. 48 and subch. III of ch. 49, and subject
12 to the rules promulgated by the department of corrections for juvenile
13 delinquency-related services or programs. In consultation with the county human
14 services board under sub. (5) and subject to its approval, the county human services
15 director shall prepare:

16 **SECTION 196.** 46.23 (6) (a) 3. of the statutes is amended to read:

17 46.23 (6) (a) 3. Such other reports as are required by the secretary of health and
18 family services, by the secretary of corrections, or by the secretary of ~~workforce~~
19 ~~development~~ children and families and the county board of supervisors in a county
20 with a single-county department of human services or the county boards of
21 supervisors in counties with a multicounty department of human services.

22 **SECTION 197.** 46.24 of the statutes is renumbered 48.375 (9) and amended to
23 read:

24 48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.
25 If a minor who is contemplating an abortion requests assistance from a county

1 department under ~~s. 46.215, 46.22 or 46.23~~ or, in a county having a population of
2 500,000 or more, the department in seeking the consent of the minor's parent,
3 guardian, or legal custodian, or in seeking the consent of an adult family member,
4 as defined in ~~s. 48.375 (2) (b)~~, for the contemplated abortion or in seeking a waiver
5 from the circuit court, the county department or department shall provide
6 assistance, including, if so requested, accompanying the minor as appropriate.

7 **SECTION 198.** 46.247 of the statutes is renumbered 49.345 (14) (g) and amended
8 to read:

9 49.345 (14) (g) ~~*Application of child support standard for certain children.*~~ For
10 purposes of determining child support under ~~s. 46.10 (14) par. (b)~~, the department
11 shall promulgate rules related to the application of the standard established by the
12 department of ~~workforce development~~ under s. 49.22 (9) to a child support obligation
13 for the care and maintenance of a child who is placed by a court order under s. 48.355
14 or 48.357 in a residential, nonmedical facility. The rules shall take into account the
15 needs of any person, including dependent children other than the child, whom either
16 parent is legally obligated to support.

17 **SECTION 199.** 46.261 (title) of the statutes is renumbered 48.645 (title).

18 **SECTION 200.** 46.261 (1) of the statutes is renumbered 48.645 (1).

19 **SECTION 201.** 46.261 (2) (title) of the statutes is renumbered 48.645 (2) (title).

20 **SECTION 202.** 46.261 (2) (a) (intro.) of the statutes is renumbered 48.645 (2) (a)
21 (intro.).

22 **SECTION 203.** 46.261 (2) (a) 1. of the statutes is renumbered 48.645 (2) (a) 1. and
23 amended to read:

24 48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster
25 home or treatment foster home having a license under s. 48.62, in a foster home or

1 treatment foster home located within the boundaries of a federally recognized
2 American Indian reservation in this state and licensed by the tribal governing body
3 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian
4 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor
5 custodial parent who cares for the dependent child, regardless of the cause or
6 prospective period of dependency. The state shall reimburse counties pursuant to the
7 procedure under s. ~~46.495~~ 48.569 (2) and the percentage rate of participation set
8 forth in s. ~~46.495~~ 48.569 (1) (d) for aid granted under this section except that if the
9 child does not have legal settlement in the granting county, state reimbursement
10 shall be at 100%. The county department under s. 46.215 ~~or, 46.22, or 46.23~~ or the
11 department under s. 48.48 (17) shall determine the legal settlement of the child. A
12 child under one year of age shall be eligible for aid under this subsection irrespective
13 of any other residence requirement for eligibility within this section.

14 **SECTION 204.** 46.261 (2) (a) 2. of the statutes is renumbered 48.645 (2) (a) 2. and
15 amended to read:

16 48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more,
17 the department, on behalf of a child in the legal custody of a county department under
18 s. 46.215, ~~46.22, or 46.23~~ or the department under s. 48.48 (17) or on behalf of a child
19 who was removed from the home of a relative, ~~as defined under s. 48.02 (15)~~, as a
20 result of a judicial determination that continuance in the home of a relative would
21 be contrary to the child's welfare for any reason when ~~such~~ the child is placed in a
22 licensed ~~child caring institution~~ residential care center for children and youth by the
23 county department or the department. Reimbursement shall be made by the state
24 pursuant to as provided in subd. 1.

1 **SECTION 205.** 46.261 (2) (a) 3. of the statutes is renumbered 48.645 (2) (a) 3. and
2 amended to read:

3 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,
4 the department, when the child is placed in a licensed foster home, treatment foster
5 home, group home, or residential care center for children and youth or in a subsidized
6 guardianship home by a licensed child welfare agency or by a federally recognized
7 American Indian tribal governing body in this state or by its designee, if the child is
8 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the
9 department under s. 48.48 (17) or if the child was removed from the home of a
10 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that
11 continuance in the home of the relative would be contrary to the child's welfare for
12 any reason and the placement is made ~~pursuant to~~ under an agreement with the
13 county department or the department.

14 **SECTION 206.** 46.261 (2) (a) 4. of the statutes is renumbered 48.645 (2) (a) 4. and
15 amended to read:

16 48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,
17 or residential care center for children and youth or a subsidized guardianship home
18 when the child is in the custody or guardianship of the state, when the child is a ward
19 of an American Indian tribal court in this state and the placement is made under an
20 agreement between the department and the tribal governing body, or when the child
21 was part of the state's direct service case load and was removed from the home of a
22 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that
23 continuance in the home of a relative would be contrary to the child's welfare for any
24 reason and the child is placed by the department.

25 **SECTION 207.** 46.261 (2) (b) of the statutes is renumbered 48.645 (2) (b).

1 **SECTION 208.** 46.261 (3) of the statutes is renumbered 48.645 (3).

2 **SECTION 209.** 46.28 (1) (f) of the statutes is amended to read:

3 46.28 (1) (f) "Victim of domestic abuse" means an individual who has
4 encountered domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a).

5 **SECTION 210.** 46.30 (title) of the statutes is renumbered 49.265 (title).

6 **SECTION 211.** 46.30 (1) of the statutes is renumbered 49.265 (1).

7 **SECTION 212.** 46.30 (2) of the statutes is renumbered 49.265 (2).

8 **SECTION 213.** 46.30 (3) (title) of the statutes is renumbered 49.265 (3) (title).

9 **SECTION 214.** 46.30 (3) (a) (intro.) of the statutes is renumbered 49.265 (3) (a)
10 (intro.).

11 **SECTION 215.** 46.30 (3) (a) 1. of the statutes is renumbered 49.265 (3) (a) 1.

12 **SECTION 216.** 46.30 (3) (a) 2. of the statutes is renumbered 49.265 (3) (a) 2.

13 **SECTION 217.** 46.30 (3) (a) 3. of the statutes is renumbered 49.265 (3) (a) 3.

14 **SECTION 218.** 46.30 (3) (a) 4. of the statutes is renumbered 49.265 (3) (a) 4.

15 **SECTION 219.** 46.30 (3) (a) 5. of the statutes is renumbered 49.265 (3) (a) 5.

16 **SECTION 220.** 46.30 (3) (a) 6. of the statutes is renumbered 49.265 (3) (a) 6.

17 **SECTION 221.** 46.30 (3) (a) 7. of the statutes is renumbered 49.265 (3) (a) 7.

18 **SECTION 222.** 46.30 (3) (a) 8. of the statutes is renumbered 49.265 (3) (a) 8. and
19 amended to read:

20 49.265 (3) (a) 8. Appoint a representative or representatives to the citizen
21 advisory committee under s. ~~46.031~~ 49.325 (3) (a), in order to participate in
22 developing and implementing programs designed to serve the poor.

23 **SECTION 223.** 46.30 (3) (b) of the statutes is renumbered 49.265 (3) (b).

24 **SECTION 224.** 46.30 (4) (title) of the statutes is renumbered 49.265 (4) (title).

1 **SECTION 225.** 46.30 (4) (a) of the statutes is renumbered 49.265 (4) (a) and
2 amended to read:

3 49.265 (4) (a) The department shall distribute the federal community services
4 block grant funds received under 42 USC 9903 and deposited in the appropriations
5 under s. ~~20.435 (3)~~ 20.437 (1) (mc) and (md).

6 **SECTION 226.** 46.30 (4) (b) of the statutes is renumbered 49.265 (4) (b).

7 **SECTION 227.** 46.30 (4) (c) of the statutes is renumbered 49.265 (4) (c).

8 **SECTION 228.** 46.30 (4) (d) of the statutes is renumbered 49.265 (4) (d).

9 **SECTION 229.** 46.30 (5) of the statutes is renumbered 49.265 (5).

10 **SECTION 230.** 46.40 (1) (a) of the statutes is amended to read:

11 46.40 (1) (a) Within the limits of available federal funds and of the
12 appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds
13 for community social, mental health, developmental disabilities, and alcohol and
14 other drug abuse services and for services under ss. ~~46.51~~, 46.87, 46.985, and 51.421
15 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to
16 county aging units, as provided in subs. (2), (2m), and (7) to (9).

17 **SECTION 231.** 46.40 (1) (b) of the statutes is renumbered 48.563 (1) (b) and
18 amended to read:

19 48.563 (1) (b) Notwithstanding s. ~~46.49~~ 48.568, if the department receives any
20 federal moneys under 42 USC 670 to 679a in reimbursement of moneys allocated
21 under par. (a) for the provision of foster care, the department shall distribute those
22 federal moneys for services and projects to assist children and families and for the
23 purposes specified in s. ~~46.46~~ 48.567.

24 **SECTION 232.** 46.40 (1) (c) of the statutes is renumbered 48.563 (1) (c) and
25 amended to read:

1 48.563 (1) (c) The Milwaukee County department of social services shall report
2 to the department in a manner specified by the department on all children under the
3 supervision of the Milwaukee County department of social services who are placed
4 in foster homes and whose foster parents receive funding for child care from the
5 amounts distributed under par. (a) so that the department may claim federal foster
6 care and adoption assistance reimbursement under 42 USC 670 to 679a for the
7 amounts expended by the Milwaukee County department of social services for the
8 provision of child care for those children. Notwithstanding s. ~~46.49~~ 48.568, if the
9 department receives any federal moneys under 42 USC 670 to 679a in
10 reimbursement of the amounts expended by the Milwaukee County department of
11 social services for the provision of child care for children in foster care in 1996 and
12 1997, the department shall distribute those federal moneys to the Milwaukee County
13 department of social services for the provision of child care for children in foster care.

14 **SECTION 233.** 46.40 (1) (d) of the statutes is amended to read:

15 46.40 (1) (d) If the department of health and family services receives any
16 federal moneys under 42 USC 1396 to 1396v in reimbursement of the cost of
17 preventing out-of-home placements of children, the department of health and
18 family services shall transfer those moneys to the department of children and
19 families, and the department of children and families shall use those moneys as the
20 first source of moneys used to meet the amount of the allocation under sub. s. 48.563
21 (2) that is budgeted from federal funds.

22 **SECTION 234.** 46.40 (2d) of the statutes is created to read:

23 46.40 (2d) **TRANSFER BETWEEN COUNTY ALLOCATIONS.** A county department
24 under s. 46.22 or 46.23 may transfer moneys distributed to that county department

1 under this subsection to the allocation of that county department under s. 48.563 (2).

2 This subsection does not apply after December 31, 2014.

3 **SECTION 235.** 46.40 (3) of the statutes is renumbered 48.563 (3) and amended
4 to read:

5 **48.563 (3) TRIBAL CHILD CARE.** For child care services under 42 USC 9858, the
6 department shall distribute not more than \$412,800 in each fiscal year from the
7 appropriation account under s. ~~20.435 (7)~~ 20.437 (1) (b) to federally recognized
8 American Indian tribes or bands. A tribe or band that receives funding under this
9 subsection shall use that funding to provide child care for an eligible child, as defined
10 in 42 USC 9858n (4).

11 **SECTION 236.** 46.40 (7m) of the statutes is renumbered 48.563 (7m) and
12 amended to read:

13 **48.563 (7m) USE BY COUNTY OF COMMUNITY CHILDREN AND FAMILY AIDS FUNDS TO**
14 **PAY PRIVATE ATTORNEYS FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE.** Upon
15 application by a county department under s. 46.215, 46.22, or 46.23 to the
16 department for permission to use funds allocated to that county department under
17 sub. (2) to employ private counsel for the purposes specified in this subsection and
18 a determination by the department that use of funds for those purposes does not
19 affect any federal grants or federal funding allocated under this section, the
20 department and the county department shall execute a contract authorizing the
21 county department to expend, as agreed upon in the contract, funds allocated to that
22 county department under sub. (2) to permit the county department to employ private
23 counsel to represent the interests of the state or county in proceedings under ~~ch. 48~~
24 this chapter relating to child abuse or neglect cases, unborn child abuse cases,
25 proceedings to terminate, termination of parental rights, and any ch. 48 cases or

1 proceedings involving the Indian child welfare act Child Welfare Act, 25 USC 1901
2 to 1963.

3 **SECTION 237.** 46.40 (14m) of the statutes is repealed.

4 **SECTION 238.** 46.45 (2) (a) of the statutes is renumbered 48.565 (2) (a) and
5 amended to read:

6 48.565 (2) (a) Subject to par. (am), if on December 31 of any year there remains
7 unspent or unencumbered in the allocation under s. ~~46.40~~ 48.563 (2) an amount that
8 exceeds the amount received under 42 USC 670 to 679a and allocated under s. ~~46.40~~
9 48.563 (2) in that year, the department shall carry forward the excess moneys and
10 distribute not less than 50% of the excess moneys to counties having a population of
11 less than 500,000 that are making a good faith effort, as determined by the
12 department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist
13 children and families, notwithstanding the percentage limit specified in sub. (3) (a).
14 A county shall use not less than 50% of the moneys distributed to the county under
15 this subsection for services for children who are at risk of abuse or neglect to prevent
16 the need for child abuse and neglect intervention services, except that in the calendar
17 year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2
18 calendar years after that calendar year the county may use 100% of the moneys
19 distributed under this paragraph to reimburse the department for the costs of
20 achieving that compliance. If a county does not comply with s. 46.22 (1) (c) 8. f. before
21 July 1, 2005, the department may recover any amounts distributed to that county
22 under this paragraph after June 30, 2001, by billing the county or deducting from
23 that county's allocation under s. ~~46.40~~ 48.563 (2). All moneys received by the
24 department under this paragraph shall be credited to the appropriation account
25 under s. ~~20.435 (3)~~ 20.437 (1) (j).

1 **SECTION 239.** 46.45 (2) (am) of the statutes is renumbered 48.565 (2) (am) and
2 amended to read:

3 48.565 (2) (am) If on December 31 of any year a county is not using the
4 centralized unit contracted for under s. ~~46.03~~ 48.47 (7) (h) for determining whether
5 the cost of providing care for a child is eligible for reimbursement under 42 USC 670
6 to 679a, the department shall reduce that county's distribution under par. (a) by 50%.

7 **SECTION 240.** 46.45 (2) (b) of the statutes is renumbered 48.565 (2) (b).

8 **SECTION 241.** 46.45 (2) (c) of the statutes is renumbered 48.565 (2) (c) and
9 amended to read:

10 48.565 (2) (c) The department shall credit to the appropriation account under
11 s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) any moneys carried forward under par. (a), but not
12 distributed to counties, and may expend those moneys as provided in s. ~~46.46~~ 48.567.

13 **SECTION 242.** 46.45 (3) (a) of the statutes is amended to read:

14 46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal
15 governing body, or private nonprofit organization, the department shall carry
16 forward up to 3% of the total amount allocated to the county, tribal governing body,
17 or nonprofit organization for a calendar year, not including the amount allocated to
18 the county under s. 46.40 (7), which amount may be carried forward as provided in
19 par. (c). All funds carried forward for a tribal governing body or nonprofit
20 organization, ~~all federal child welfare funds under 42 USC 620 to 626,~~ and all funds
21 allocated under s. 46.40 (2m) carried forward for a county shall be used for the
22 purpose for which the funds were originally allocated. Other funds carried forward
23 under this paragraph may be used for any purpose under s. 20.435 (7) (b), except that
24 a county may not use any funds carried forward under this paragraph for
25 administrative or staff costs. An allocation of carried-forward funding under this

1 paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and
2 (9).

3 **SECTION 243.** 46.46 (1) of the statutes is amended to read:

4 46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the
5 department shall support costs that are exclusively related to the ongoing and
6 recurring operational costs of augmenting the amount of moneys received under 42
7 USC ~~670 to 679a~~, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v and to any
8 other purpose provided for by the legislature by law or in budget determinations and
9 shall distribute moneys to counties as provided in sub. (1g). In addition, the
10 department may expend moneys from the appropriation account under s. 20.435 (8)
11 (mb) as provided in subs. (1m) and (2).

12 **SECTION 244.** 46.46 (1m) of the statutes is amended to read:

13 46.46 (1m) In addition to expending moneys from the appropriation account
14 under s. 20.435 (8) (mb) for the augmentation activities specified in sub. (1), the
15 department ~~may expend of health and family services may transfer~~ moneys received
16 under 42 USC 1396 to 1396v in reimbursement of the cost of providing targeted case
17 management services to children whose care is not eligible for reimbursement under
18 42 USC 670 to 679a and credited to the appropriation account under s. 20.435 (8)
19 (mb) to the appropriation account of the department of children and families under
20 s. 20.437 (1) (kx), and the department of children and families may use those moneys
21 to support the counties' share of implementing the statewide automated child
22 welfare information system under s. 46.22 (1) (c) 8. f. and to provide services to
23 children and families under s. 48.48 (17).

24 **SECTION 245.** 46.481 (intro.) of the statutes is renumbered 48.481 (intro.) and
25 amended to read:

1 **48.481 Grants for children's community programs.** (intro.) From the
2 appropriation under s. ~~20.435 (3)~~ 20.437 (1) (bc), the department shall distribute the
3 following grants for children's community programs:

4 **SECTION 246.** 46.481 (1) (title) of the statutes is renumbered 48.481 (1) (title).

5 **SECTION 247.** 46.481 (1) (a) of the statutes is renumbered 48.481 (1) (a) and
6 amended to read:

7 48.481 (1) (a) The department shall distribute \$497,200 in each fiscal year to
8 counties for the purpose of supplementing payments for the care of an individual who
9 attains age 18 after 1986 and who resided in a foster home, ~~as defined in s. 48.02 (6),~~
10 or a treatment foster home, ~~as defined in s. 48.02 (17q),~~ for at least 2 years
11 immediately prior to attaining age 18 and, for at least 2 years, received exceptional
12 foster care or treatment foster care payments in order to avoid institutionalization,
13 as provided under rules promulgated by the department, so that the individual may
14 live in a family home or other noninstitutional situation after attaining age 18. No
15 county may use funds provided under this paragraph to replace funds previously
16 used by the county for this purpose.

17 **SECTION 248.** 46.481 (1) (b) of the statutes is renumbered 48.481 (1) (b).

18 **SECTION 249.** 46.481 (3) of the statutes is renumbered 48.481 (3).

19 **SECTION 250.** 46.49 (title) of the statutes is amended to read:

20 **46.49 (title) Allocation of federal funds for community aids and child**
21 **welfare.**

22 **SECTION 251.** 46.49 (1) of the statutes is amended to read:

23 46.49 (1) ~~Subject to s. 46.40 (1) (b) and (c), if~~ If the department receives
24 unanticipated federal community mental health services block grant funds under 42
25 USC 300x to 300x-9, or federal prevention and treatment of substance abuse block

1 grant funds under 42 USC 300x-21 to 300x-35, ~~or foster care and adoption~~
2 ~~assistance payments under 42 USC 670 to 679a~~ and it if the department proposes to
3 allocate the unanticipated funds so that an allocation limit in s. 46.40 is exceeded,
4 the department shall submit a plan for the proposed allocation to the secretary of
5 administration. If the secretary of administration approves the plan, he or she shall
6 submit it to the joint committee on finance. If the cochairpersons of the committee
7 do not notify the secretary of administration that the committee has scheduled a
8 meeting for the purpose of reviewing the plan within 14 working days after the date
9 of his or her submittal, the department may implement the plan, notwithstanding
10 any allocation limits under s. 46.40. If within 14 working days after the date of the
11 submittal by the secretary of administration the cochairpersons of the committee
12 notify him or her that the committee has scheduled a meeting for the purpose of
13 reviewing the plan, the department may implement the plan, notwithstanding s.
14 46.40, only with the approval of the committee.

15 **SECTION 252.** 46.495 (1) (d) of the statutes is amended to read:

16 46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the
17 department shall distribute the funding for social services, ~~including funding for~~
18 ~~foster care, treatment foster care, or subsidized guardianship care of a child on whose~~
19 ~~behalf aid is received under s. 46.261,~~ to county departments under ss. 46.215, 46.22,
20 and 46.23 as provided under s. 46.40. County matching funds are required for the
21 distributions under s. 46.40 (2), (8), and (9) (b). Each county's required match for the
22 distribution under s. 46.40 (2) shall be specified in a schedule established annually
23 by the department of ~~health and family services~~. Each county's required match for
24 the distribution under s. 46.40 (8) for a year equals 9.89% of the total of the county's
25 distributions under s. 46.40 (8) for that year for which matching funds are required

1 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
2 juvenile delinquency-related services from its distribution for 1987. Each county's
3 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
4 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching
5 funds may be from county tax levies, federal and state revenue sharing funds, or
6 private donations to the county that meet the requirements specified in s. 51.423 (5).
7 Private donations may not exceed 25% of the total county match. If the county match
8 is less than the amount required to generate the full amount of state and federal
9 funds distributed for this period, the decrease in the amount of state and federal
10 funds equals the difference between the required and the actual amount of county
11 matching funds.

12 **SECTION 253.** 46.51 (title) of the statutes is renumbered 48.986 (title).

13 **SECTION 254.** 46.51 (1) of the statutes is renumbered 48.986 (1) and amended
14 to read:

15 48.986 (1) From the amounts distributed under s. 46.40 ~~48.563~~ (1) for services
16 for children and families, the department shall distribute funds to eligible counties
17 for services related to child abuse and neglect and to unborn child abuse, including
18 child abuse and neglect and unborn child abuse prevention, investigation, and
19 treatment.

20 **SECTION 255.** 46.51 (3) of the statutes is renumbered 48.986 (3).

21 **SECTION 256.** 46.51 (4) of the statutes is renumbered 48.986 (4).

22 **SECTION 257.** 46.51 (5) of the statutes is renumbered 48.986 (5).

23 **SECTION 258.** 46.513 of the statutes is renumbered 48.543 and amended to
24 read:

1 **48.543 Services for children and families.** From the appropriation under
2 s. ~~20.435 (3)~~ 20.437 (1) (bm), the department shall distribute grants to counties in
3 each fiscal year to fund services for children and families. The department shall
4 determine the amount of a county's grant under this section based on the county's
5 proportion of the state's population as last estimated by the department of
6 administration under s. 16.96. The department of ~~health and family services~~ shall
7 distribute the grants under this section in the calendar year after the calendar year
8 in which the amount available for those grants is certified by the department of
9 revenue under s. 77.63 (2).

10 **SECTION 259.** 46.515 (title) of the statutes is renumbered 48.983 (title).

11 **SECTION 260.** 46.515 (1) (intro.) of the statutes is renumbered 48.983 (1)
12 (intro.).

13 **SECTION 261.** 46.515 (1) (a) of the statutes is repealed.

14 **SECTION 262.** 46.515 (1) (b) (intro.) of the statutes is renumbered 48.983 (1) (b)
15 (intro.).

16 **SECTION 263.** 46.515 (1) (b) 1. (intro.) of the statutes is renumbered 48.983 (1)
17 (b) 1. (intro.).

18 **SECTION 264.** 46.515 (1) (b) 1. a. of the statutes is renumbered 48.983 (1) (b) 1.
19 a.

20 **SECTION 265.** 46.515 (1) (b) 1. b. of the statutes is renumbered 48.983 (1) (b) 1.
21 b.

22 **SECTION 266.** 46.515 (1) (b) 1. c. of the statutes is renumbered 48.983 (1) (b) 1.
23 c. and amended to read:

24 48.983 (1) (b) 1. c. A family that includes a person who has contacted a county
25 department, ~~as defined in s. 48.02 (2g)~~, or an Indian tribe that has been awarded a

1 grant under this section or, in a county having a population of 500,000 or more that
2 has been awarded a grant under this section, the department or a licensed child
3 welfare agency under contract with the department requesting assistance to prevent
4 abuse or neglect of a child in the person's family and with respect to which an
5 individual responding to the request has determined that all of the conditions in
6 subd. 2. exist.

7 **SECTION 267.** 46.515 (1) (b) 2. of the statutes is renumbered 48.983 (1) (b) 2.

8 **SECTION 268.** 46.515 (1) (c) of the statutes is repealed.

9 **SECTION 269.** 46.515 (1) (cm) of the statutes is renumbered 48.983 (1) (cm).

10 **SECTION 270.** 46.515 (1) (d) of the statutes is renumbered 48.983 (1) (d).

11 **SECTION 271.** 46.515 (1) (e) of the statutes is renumbered 48.983 (1) (e).

12 **SECTION 272.** 46.515 (1) (f) of the statutes is renumbered 48.983 (1) (f).

13 **SECTION 273.** 46.515 (1) (g) of the statutes is renumbered 48.983 (1) (g).

14 **SECTION 274.** 46.515 (1) (h) of the statutes is renumbered 48.983 (1) (h).

15 **SECTION 275.** 46.515 (1) (i) of the statutes is repealed.

16 **SECTION 276.** 46.515 (1) (j) of the statutes is repealed.

17 **SECTION 277.** 46.515 (2) of the statutes is renumbered 48.983 (2) and amended
18 to read:

19 48.983 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected
20 by the department under sub. (5) to participate in the program under this section,
21 the department shall award, from the appropriation under s. ~~20.435-(5)~~ 20.437 (2)
22 (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and
23 (am). The minimum amount of a grant is \$10,000. The department shall determine
24 the amount of a grant awarded to a county, other than a county with a population of
25 500,000 or more, or Indian tribe in excess of the minimum amount based on the

1 number of births that are funded by medical assistance under subch. IV of ch. 49 in
2 that county or the reservation of that Indian tribe in proportion to the number of
3 births that are funded by medical assistance under subch. IV of ch. 49 in all of the
4 counties and the reservations of all of the Indian tribes to which grants are awarded
5 under this section. The department shall determine the amount of a grant awarded
6 to a county with a population of 500,000 or more in excess of the minimum amount
7 based on 60% of the number of births that are funded by medical assistance under
8 subch. IV of ch. 49 in that county in proportion to the number of births that are
9 funded by medical assistance under subch. IV of ch. 49 in all of the counties and the
10 reservations of all of the Indian tribes to which grants are awarded under this
11 section.

12 **SECTION 278.** 46.515 (3) (title) of the statutes is repealed.

13 **SECTION 279.** 46.515 (3) (a) of the statutes is repealed.

14 **SECTION 280.** 46.515 (3) (b) of the statutes is renumbered 48.983 (3).

15 **SECTION 281.** 46.515 (4) of the statutes is renumbered 48.983 (4).

16 **SECTION 282.** 46.515 (5) of the statutes is renumbered 48.983 (5) and amended
17 to read:

18 **48.983 (5) SELECTION OF COUNTIES AND INDIAN TRIBES.** The department shall
19 provide competitive application procedures for selecting counties and Indian tribes
20 for participation in the program under this section. The department shall establish
21 a method for ranking applicants for selection based on the quality of their
22 applications. In ranking the applications submitted by counties, the department
23 shall give favorable consideration to a county that has indicated under sub. (6) (d)
24 2. that it is willing to use a portion of any moneys distributed to the county under s.
25 ~~46.45~~ 48.565 (2) (a) to provide case management services to a medical assistance

1 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family
2 that is a case and that has explained under sub. (6) (d) 2. how the county plans to use
3 that portion of those moneys to promote the provision of those services for the case
4 by using a wraparound process so as to provide those services in a flexible,
5 comprehensive and individualized manner in order to reduce the necessity for
6 court-ordered services. The department shall also provide application requirements
7 and procedures for the renewal of a grant awarded under this section. The
8 application procedures and the renewal application requirements and procedures
9 shall be clear and understandable to the applicants. The department need not
10 promulgate as rules under ch. 227 the application procedures, the renewal
11 application requirements or procedures or the method for ranking applicants
12 established under this subsection.

13 **SECTION 283.** 46.515 (6) (intro.) of the statutes is renumbered 48.983 (6)
14 (intro.).

15 **SECTION 284.** 46.515 (6) (a) of the statutes is renumbered 48.983 (6) (a).

16 **SECTION 285.** 46.515 (6) (b) of the statutes is renumbered 48.983 (6) (b).

17 **SECTION 286.** 46.515 (6) (c) of the statutes is renumbered 48.983 (6) (c).

18 **SECTION 287.** 46.515 (6) (d) (title) of the statutes is renumbered 48.983 (6) (d)
19 (title).

20 **SECTION 288.** 46.515 (6) (d) 1. of the statutes is renumbered 48.983 (6) (d) 1.

21 **SECTION 289.** 46.515 (6) (d) 2. of the statutes is renumbered 48.983 (6) (d) 2. and
22 amended to read:

23 48.983 (6) (d) 2. The applicant indicates in the grant application whether the
24 applicant is willing to use a portion of any moneys distributed to the applicant under
25 s. ~~46.45~~ 48.565 (2) (a) to provide case management services to a medical assistance

1 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family
2 that is a case. If the applicant is so willing, the applicant shall explain how the
3 applicant plans to use that portion of those moneys to promote the provision of those
4 services for the case by using a wraparound process so as to provide those services
5 in a flexible, comprehensive and individualized manner in order to reduce the
6 necessity for court-ordered services.

7 **SECTION 290.** 46.515 (6) (e) of the statutes is renumbered 48.983 (6) (e).

8 **SECTION 291.** 46.515 (6g) of the statutes is renumbered 48.983 (6g).

9 **SECTION 292.** 46.515 (6m) of the statutes is renumbered 48.983 (6m) and
10 amended to read:

11 48.983 (6m) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT.

12 If a person who is providing services under a home visitation program under sub. (4)
13 (b) 1. determines that he or she is required or permitted to make a report under s.
14 48.981 (2) about a child in a family to which the person is providing those services,
15 the person shall, prior to making the report under s. 48.981 (2), make a reasonable
16 effort to notify the child's parent that a report under s. 48.981 (2) will be made and
17 to encourage the parent to contact a county department ~~under s. 46.22 or 46.23~~ to
18 request assistance. The notification requirements under this subsection do not affect
19 the reporting requirements under s. 48.981 (2).

20 **SECTION 293.** 46.515 (6r) of the statutes is renumbered 48.983 (6r).

21 **SECTION 294.** 46.515 (7) of the statutes is renumbered 48.983 (7).

22 **SECTION 295.** 46.515 (8) of the statutes is renumbered 48.983 (8).

23 **SECTION 296.** 46.75 (title) of the statutes is renumbered 49.171 (title).

24 **SECTION 297.** 46.75 (1) of the statutes is renumbered 49.171 (1).

25 **SECTION 298.** 46.75 (2) (title) of the statutes is renumbered 49.171 (2) (title).

1 **SECTION 299.** 46.75 (2) (a) of the statutes is renumbered 49.171 (2) (a) and
2 amended to read:

3 49.171 (2) (a) From the appropriation under s. ~~20.435 (5)~~ 20.437 (2) (dn), the
4 department shall award grants to agencies to operate food distribution programs
5 that qualify for participation in the emergency food assistance program under P.L.
6 98-8, as amended.

7 **SECTION 300.** 46.75 (2) (b) of the statutes is renumbered 49.171 (2) (b).

8 **SECTION 301.** 46.75 (3) of the statutes is renumbered 49.171 (3).

9 **SECTION 302.** 46.76 of the statutes is renumbered 49.172.

10 **SECTION 303.** 46.766 of the statutes is repealed.

11 **SECTION 304.** 46.77 of the statutes is renumbered 49.1715 and amended to
12 read:

13 **49.1715 Food distribution administration.** From the appropriation under
14 s. ~~20.435 (5)~~ 20.437 (2) (dn), the department shall allocate funds to eligible recipient
15 agencies, as defined in the emergency food assistance act, P.L. 98-8, section 201A,
16 as amended, for the storage, transportation, and distribution of commodities
17 provided under the hunger prevention act of 1988, P.L. 100-435, as amended.

18 **SECTION 305.** 46.95 (title) of the statutes is renumbered 49.165 (title).

19 **SECTION 306.** 46.95 (1) of the statutes is renumbered 49.165 (1).

20 **SECTION 307.** 46.95 (2) (title) of the statutes is renumbered 49.165 (2) (title).

21 **SECTION 308.** 46.95 (2) (a) of the statutes is renumbered 49.165 (2) (a) and
22 amended to read:

23 49.165 (2) (a) The secretary shall make grants from the appropriations under
24 s. ~~20.435 (3)~~ 20.437 (1) (cd) and (hh) to organizations for the provision of any of the
25 services specified in sub. (1) (d). Grants may be made to organizations which have

1 provided those domestic abuse services in the past or to organizations which propose
2 to provide those services in the future. No grant may be made to fund services for
3 child or unborn child abuse or abuse of elderly persons.

4 **SECTION 309.** 46.95 (2) (b) of the statutes is renumbered 49.165 (2) (b).

5 **SECTION 310.** 46.95 (2) (c) of the statutes is renumbered 49.165 (2) (c).

6 **SECTION 311.** 46.95 (2) (d) of the statutes is renumbered 49.165 (2) (d).

7 **SECTION 312.** 46.95 (2) (e) of the statutes is renumbered 49.165 (2) (e).

8 **SECTION 313.** 46.95 (2) (f) (intro.) of the statutes is renumbered 49.165 (2) (f)
9 (intro.) and amended to read:

10 49.165 (2) (f) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cd)
11 and (hh), the department shall do all of the following:

12 **SECTION 314.** 46.95 (2) (f) 1. of the statutes is renumbered 49.165 (2) (f) 1.

13 **SECTION 315.** 46.95 (2) (f) 5. of the statutes is renumbered 49.165 (2) (f) 5.

14 **SECTION 316.** 46.95 (2) (f) 6. of the statutes is renumbered 49.165 (2) (f) 6.

15 **SECTION 317.** 46.95 (2) (f) 7. of the statutes is renumbered 49.165 (2) (f) 7.

16 **SECTION 318.** 46.95 (2) (f) 8. of the statutes is renumbered 49.165 (2) (f) 8.

17 **SECTION 319.** 46.95 (2) (f) 9. of the statutes is renumbered 49.165 (2) (f) 9.

18 **SECTION 320.** 46.95 (2) (f) 10. of the statutes is renumbered 49.165 (2) (f) 10.

19 **SECTION 321.** 46.95 (2m) of the statutes is renumbered 49.165 (2m).

20 **SECTION 322.** 46.95 (3) of the statutes is renumbered 49.165 (3).

21 **SECTION 323.** 46.95 (4) of the statutes is renumbered 49.165 (4).

22 **SECTION 324.** 46.99 (title) of the statutes is renumbered 48.545 (title).

23 **SECTION 325.** 46.99 (1) of the statutes is renumbered 48.545 (1).

24 **SECTION 326.** 46.99 (2) (title) of the statutes is renumbered 48.545 (2) (title).

1 **SECTION 327.** 46.99 (2) (a) (intro.) of the statutes is renumbered 48.545 (2) (a)
2 (intro.) and amended to read:

3 48.545 (2) (a) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (eg)
4 and (nL), the department shall distribute \$2,125,200 in each fiscal year to applying
5 nonprofit corporations and public agencies operating in a county having a population
6 of 500,000 or more and \$1,199,300 in each fiscal year to applying county departments
7 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county
8 having a population of 500,000 or more to provide programs to accomplish all of the
9 following:

10 **SECTION 328.** 46.99 (2) (a) 1. of the statutes is renumbered 48.545 (2) (a) 1.

11 **SECTION 329.** 46.99 (2) (a) 2. of the statutes is renumbered 48.545 (2) (a) 2.

12 **SECTION 330.** 46.99 (2) (a) 3. of the statutes is renumbered 48.545 (2) (a) 3.

13 **SECTION 331.** 46.99 (2) (a) 4. of the statutes is renumbered 48.545 (2) (a) 4.

14 **SECTION 332.** 46.99 (2) (a) 5. of the statutes is renumbered 48.545 (2) (a) 5.

15 **SECTION 333.** 46.99 (2) (b) of the statutes is renumbered 48.545 (2) (b).

16 **SECTION 334.** 46.99 (3) of the statutes is renumbered 48.545 (3).

17 **SECTION 335.** 46.995 (title) of the statutes is renumbered 48.487 (title).

18 **SECTION 336.** 46.995 (1m) of the statutes is renumbered 48.487 (1m) and
19 amended to read:

20 48.487 (1m) TRIBAL ADOLESCENT SERVICES ALLOCATION. From the appropriation
21 account under s. ~~20.435 (3)~~ 20.437 (1) (eg), the department may allocate \$210,000 in
22 each fiscal year to provide the grants specified in subs. (2), (3) (b), and (4m) (b).

23 **SECTION 337.** 46.995 (2) of the statutes is renumbered 48.487 (2).

24 **SECTION 338.** 46.995 (3) of the statutes is renumbered 48.487 (3).

25 **SECTION 339.** 46.995 (4m) of the statutes is renumbered 48.487 (4m).

1 **SECTION 340.** 46.997 (title) of the statutes is renumbered 48.647 (title).

2 **SECTION 341.** 46.997 (1) of the statutes is renumbered 48.647 (1).

3 **SECTION 342.** 46.997 (2) (title) of the statutes is renumbered 48.647 (2) (title).

4 **SECTION 343.** 46.997 (2) (a) of the statutes is renumbered 48.647 (2) (a) and
5 amended to read:

6 48.647 (2) (a) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (f), the
7 department shall distribute not more than \$0 in each fiscal year as grants to private
8 agencies to provide 2nd-chance homes and related services to eligible persons who
9 are placed under s. 48.63 (5) in 2nd-chance homes operated by those private
10 agencies. A private agency that is awarded a grant under this paragraph may use
11 the amount awarded under the grant to provide care and maintenance to eligible
12 persons who are placed under s. 48.63 (5) in a 2nd-chance home operated by the
13 private agency; provide services, including the services specified in sub. (3), to
14 eligible persons who currently are or formerly were placed under s. 48.63 (5) in the
15 2nd-chance home, to the children and families of those eligible persons, and to the
16 noncustodial parents of the children of those eligible persons; and, in the first year
17 of the grant period, pay for the start-up costs, other than capital costs, of the private
18 agency's program funded under this paragraph.

19 **SECTION 344.** 46.997 (2) (b) of the statutes is renumbered 48.647 (2) (b) and
20 amended to read:

21 48.647 (2) (b) The department of ~~health and family services~~ shall award the
22 grants under par. (a) on a competitive basis and according to request-for-proposal
23 procedures that the department of ~~health and family services~~ shall prescribe in
24 consultation with the ~~department of workforce development~~, local health
25 departments, as defined in s. 250.01 (4), and other providers of services to eligible

1 persons. Those request-for-proposal procedures shall include a requirement that
2 a private agency that applies for a grant under par. (a) include in its grant application
3 proof that the private agency has the cultural competency to provide services under
4 the grant to persons and families in the various cultures in the private agency's
5 target population and that cultural competency is incorporated in the private
6 agency's policies, administration, and practices. In awarding the grants under par.
7 (a), the department of ~~health and family services~~ shall consider the need for those
8 grants to be distributed both on a statewide basis and in the areas of the state with
9 the greatest need for 2nd-chance homes and the need to provide placements for
10 children who are voluntarily placed in a 2nd-chance home as well as for children who
11 are placed in a 2nd-chance home by court order.

12 **SECTION 345.** 46.997 (2) (c) of the statutes is renumbered 48.647 (2) (c).

13 **SECTION 346.** 46.997 (2) (d) of the statutes is renumbered 48.647 (2) (d).

14 **SECTION 347.** 46.997 (2) (e) of the statutes is renumbered 48.647 (2) (e).

15 **SECTION 348.** 46.997 (3) of the statutes is renumbered 48.647 (3).

16 **SECTION 349.** 46.997 (4) of the statutes is renumbered 48.647 (4) and amended
17 to read:

18 48.647 (4) EVALUATION. From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)
19 (f), the department shall conduct or shall select an evaluator to conduct an evaluation
20 of the grant program under this section and, by June 1 of the 3rd calendar year
21 beginning after the year in which the first grant under this section is awarded, shall
22 submit a report on that evaluation to the governor and to the appropriate standing
23 committees under s. 13.172 (3). The evaluation shall measure the economic
24 self-sufficiency, parenting skills, independent living skills, and life choice
25 decision-making skills of the eligible persons who received services under the

1 program and any other criteria that the department determines to be appropriate for
2 evaluation.

3 **SECTION 350.** 48.01 (1) (h) of the statutes is created to read:

4 48.01 (1) (h) To provide a just and humane program of services to nonmarital
5 children, children and unborn children in need of protection or services, and the
6 expectant mothers of those unborn children; to avoid duplication and waste of effort
7 and money on the part of public and private agencies; and to coordinate and integrate
8 a program of services to children and families.

9 **SECTION 351.** 48.02 (4) of the statutes is amended to read:

10 48.02 (4) "Department" means the department of health and family services
11 children and families.

12 **SECTION 352.** 48.02 (16) of the statutes is created to read:

13 48.02 (16) "Secretary" means the secretary of children and families.

14 **SECTION 353.** 48.06 (4) of the statutes is amended to read:

15 48.06 (4) STATE AID. State aid to any county for court services under this section
16 shall be at the same net effective rate that each county is reimbursed for county
17 administration under s. ~~46.495~~ 48.569. Counties having a population of less than
18 500,000 may use funds received under s. ~~46.495~~ 48.569 (1) (d), including county or
19 federal revenue sharing funds allocated to match funds received under s. ~~46.495~~
20 48.569 (1) (d), for the cost of providing court attached intake services in amounts not
21 to exceed 50% of the cost of providing court attached intake services or \$30,000 per
22 county per calendar year, whichever is less.

23 **SECTION 354.** 48.275 (2) (d) 2. of the statutes is amended to read:

24 48.275 (2) (d) 2. In a county having a population of 500,000 or more,
25 reimbursement payments shall be made to the clerk of courts of the county where the

1 proceedings took place. Each payment shall be transmitted to the secretary of
2 administration, who shall deposit the amount paid in the general fund and credit
3 25% of the amount paid to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)
4 (gx) and the remainder to the appropriation account under s. 20.550 (1) (L).

5 **SECTION 355.** 48.30 (6) (b) of the statutes is amended to read:

6 48.30 (6) (b) If it appears to the court that disposition of the case may include
7 placement of the child outside the child's home, the court shall order the child's
8 parent to provide a statement of income, assets, debts, and living expenses to the
9 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled
10 date of the dispositional hearing or as otherwise ordered by the court. The clerk of
11 court shall provide, without charge, to any parent ordered to provide a statement of
12 income, assets, debts, and living expenses a document setting forth the percentage
13 standard established by the department of ~~workforce development~~ under s. 49.22 (9)
14 and the manner of its application established by the department of ~~health and family~~
15 ~~services~~ under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
16 consider under s. ~~46.10~~ 49.345 (14) (c).

17 **SECTION 356.** 48.31 (7) (b) of the statutes is amended to read:

18 48.31 (7) (b) If it appears to the court that disposition of the case may include
19 placement of the child outside the child's home, the court shall order the child's
20 parent to provide a statement of income, assets, debts, and living expenses to the
21 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled
22 date of the dispositional hearing or as otherwise ordered by the court. The clerk of
23 court shall provide, without charge, to any parent ordered to provide a statement of
24 income, assets, debts, and living expenses a document setting forth the percentage
25 standard established by the department of ~~workforce development~~ under s. 49.22 (9)

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1 and the manner of its application established by the department of health and family
2 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
3 consider under s. ~~46.10~~ 49.345 (14) (c).

4 **SECTION 357.** 48.33 (4m) (intro.) of the statutes is amended to read:

5 48.33 (4m) SUPPORT RECOMMENDATIONS; INFORMATION TO PARENTS. (intro.) In
6 making a recommendation for an amount of child support under sub. (4), the agency
7 shall consider the factors that the court considers under s. ~~46.10~~ 49.345 (14) (c) for
8 deviation from the percentage standard. Prior to the dispositional hearing under s.
9 48.335, the agency shall provide the child's parent with all of the following:

10 **SECTION 358.** 48.33 (4m) (b) of the statutes is amended to read:

11 48.33 (4m) (b) A written explanation of how the parent may request that the
12 court modify the amount of child support under s. ~~46.10~~ 49.345 (14) (c).

13 **SECTION 359.** 48.357 (5m) (a) of the statutes is amended to read:

14 48.357 (5m) (a) If a proposed change in placement changes a child's placement
15 from a placement in the child's home to a placement outside the child's home, the
16 court shall order the child's parent to provide a statement of income, assets, debts
17 and living expenses to the court or the person or agency primarily responsible for
18 implementing the dispositional order by a date specified by the court. The clerk of
19 court shall provide, without charge, to any parent ordered to provide a statement of
20 income, assets, debts, and living expenses a document setting forth the percentage
21 standard established by the department of ~~workforce development~~ under s. 49.22 (9)
22 and the manner of its application established by the department of ~~health and family~~
23 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
24 consider under s. ~~46.10~~ 49.345 (14) (c). If the child is placed outside the child's home,

1 the court shall determine the liability of the parent in the manner provided in s. 46.10
2 49.345 (14).

3 **SECTION 360.** 48.36 (1) (a) of the statutes is amended to read:

4 48.36 (1) (a) If legal custody is transferred from the parent or guardian or the
5 court otherwise designates an alternative placement for the child by a disposition
6 made under s. 48.345 or by a change in placement under s. 48.357, the duty of the
7 parent or guardian or, in the case of a transfer of guardianship and custody under
8 s. 48.839 (4), the duty of the former guardian to provide support shall continue even
9 though the legal custodian or the placement designee may provide the support. A
10 copy of the order transferring custody or designating alternative placement for the
11 child shall be submitted to the agency or person receiving custody or placement and
12 the agency or person may apply to the court for an order to compel the parent or
13 guardian to provide the support. Support payments for residential services, when
14 purchased or otherwise funded or provided by the department or a county
15 department under s. 46.22, 46.23, 51.42 or 51.437, shall be determined under s. 46.10
16 49.345 (14). Support payments for residential services, when purchased or otherwise
17 funded by the department of health and family services or a county department
18 under s. 51.42 or 51.437, shall be determined under s. 46.10 (14).

19 **SECTION 361.** 48.36 (1) (b) of the statutes is amended to read:

20 48.36 (1) (b) In determining the amount of support under par. (a), the court may
21 consider all relevant financial information or other information relevant to the
22 parent's earning capacity, including information reported under s. 49.22 (2m) to the
23 department of ~~workforce development~~ or the county child support agency under s.
24 59.53 (5). If the court has insufficient information with which to determine the
25 amount of support, the court shall order the child's parent to furnish a statement of

1 income, assets, debts, and living expenses, if the parent has not already done so, to
2 the court within 10 days after the court's order transferring custody or designating
3 an alternative placement is entered or at such other time as ordered by the court.

4 **SECTION 362.** 48.36 (2) of the statutes is amended to read:

5 48.36 (2) If an expectant mother or a child whose legal custody has not been
6 taken from a parent or guardian is given educational and social services, or medical,
7 psychological or psychiatric treatment by order of the court, the cost of those services
8 or that treatment, if ordered by the court, shall be a charge upon the county in a
9 county having a population of less than 500,000 or the department in a county having
10 a population of 500,000 or more. This section does not prevent recovery of reasonable
11 contribution toward the costs from the parent or guardian of the child or from an
12 adult expectant mother as the court may order based on the ability of the parent,
13 guardian or adult expectant mother to pay. This subsection shall be subject to s.
14 ~~46.03 (18)~~ 49.32 (1).

15 **SECTION 363.** 48.361 (2) (c) of the statutes is amended to read:

16 48.361 (2) (c) Payment for alcohol and other drug abuse services by a county
17 department under this section does not prohibit the county department from
18 contracting with another county department or approved treatment facility for the
19 provision of alcohol and other drug abuse services. Payment by the county under this
20 section does not prevent recovery of reasonable contribution toward the costs of the
21 court-ordered alcohol and other drug abuse services from the parent or adult
22 expectant mother which is based upon the ability of the parent or adult expectant
23 mother to pay. This subsection is subject to s. ~~46.03 (18)~~ 49.32 (1).

24 **SECTION 364.** 48.362 (4) (c) of the statutes is amended to read:

1 48.362 (4) (c) A county department that pays for court-ordered special
2 treatment or care under par. (a) may recover from the parent or adult expectant
3 mother, based on the ability of the parent or adult expectant mother to pay, a
4 reasonable contribution toward the costs of the court-ordered special treatment or
5 care. This paragraph is subject to s. ~~46.03 (18)~~ 49.32 (1).

6 **SECTION 365.** 48.363 (1) (c) of the statutes is amended to read:

7 48.363 (1) (c) If the proposed revision is for a change in the amount of child
8 support to be paid by a parent, the court shall order the child's parent to provide a
9 statement of income, assets, debts and living expenses to the court and the person
10 or agency primarily responsible for implementing the dispositional order by a date
11 specified by the court. The clerk of court shall provide, without charge, to any parent
12 ordered to provide a statement of income, assets, debts, and living expenses a
13 document setting forth the percentage standard established by the department of
14 ~~workforce development~~ under s. 49.22 (9) and the manner of its application
15 established by the department of ~~health and family services~~ under s. ~~46.247~~ 49.345
16 (14) (g) and listing the factors that a court may consider under s. ~~46.10~~ 49.345 (14)
17 (c).

18 **SECTION 366.** 48.363 (2) of the statutes is amended to read:

19 48.363 (2) If the court revises a dispositional order with respect to the amount
20 of child support to be paid by a parent for the care and maintenance of the parent's
21 minor child who has been placed by a court order under this chapter in a residential,
22 nonmedical facility, the court shall determine the liability of the parent in the
23 manner provided in s. ~~46.10~~ 49.345 (14).

24 **SECTION 367.** Subchapter XI (title) of chapter 48 [precedes 48.47] of the
25 statutes is amended to read:

CHAPTER 48**SUBCHAPTER XI****DUTIES AND AUTHORITY OF DEPARTMENT**

SECTION 368. 48.47 (intro.) of the statutes is created to read:

48.47 Duties of department. (intro.) The department shall do all of the following:

SECTION 369. 48.47 (3) of the statutes is created to read:

48.47 (3) TRUSTEE DUTY. When ordered by the court, act as trustee of funds paid for the support of any child if appointed by the court or a circuit court commissioner under s. 767.82 (7).

SECTION 370. 48.47 (4) of the statutes is created to read:

48.47 (4) EDUCATION AND PREVENTION. Develop and maintain education and prevention programs that the department considers to be proper.

SECTION 371. 48.47 (7) (title) of the statutes is created to read:

48.47 (7) (title) CHILDREN AND YOUTH. Develop and maintain education and prevention programs that the department considers to be proper.

SECTION 372. 48.48 (2b) of the statutes is created to read:

48.48 (2b) To accept gifts, grants, or donations of money or of property from private sources to be administered by the department for the execution of its functions. All moneys so received shall be paid into the general fund and may be appropriated from that fund as provided in s. 20.437 (1) (i).

SECTION 373. 48.48 (4) of the statutes is created to read:

48.48 (4) In order to discharge more effectively its responsibilities under this chapter and other relevant provisions of the statutes, to study causes and methods of prevention and treatment of problems among children and families and related

1 social problems. The department may utilize all powers provided by the statutes,
2 including the authority to accept grants of money or property from federal, state, or
3 private sources, an enlist the cooperation of other appropriate agencies and state
4 departments.

5 **SECTION 374.** 48.48 (12) (a) of the statutes is amended to read:

6 48.48 (12) (a) To enter into an agreement to assist in the cost of care of a child
7 after legal adoption when the department has determined that such assistance is
8 necessary to assure the child's adoption. Agreements under this paragraph shall be
9 made in accordance with s. 48.975. Payments shall be made from the appropriation
10 under s. ~~20.435 (3)~~ 20.437 (1) (dd).

11 **SECTION 375.** 48.48 (17) (am) of the statutes is created to read:

12 48.48 (17) (am) The requirement of statewide uniformity with respect to the
13 organization and governance of human services does not apply to the administration
14 of child welfare services under par. (a).

15 **SECTION 376.** 48.48 (17) (c) (intro.) of the statutes is amended to read:

16 48.48 (17) (c) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1)
17 (cx), (gx), (kw), and (mx), the department may provide funding for the maintenance
18 of any child who meets all of the following criteria:

19 **SECTION 377.** 48.48 (17) (c) 3. of the statutes is amended to read:

20 48.48 (17) (c) 3. Received funding under s. 20.437 (1) (cx) or 48.569 (1) (d) or
21 under s. 20.435 (3) (cx), 2005 stats., or 46.495 (1) (d), 2005 stats., immediately prior
22 to his or her 18th birthday.

23 **SECTION 378.** 48.48 (17) (d) of the statutes is amended to read:

24 48.48 (17) (d) The funding provided for the maintenance of a child under par.
25 (c) shall be in an amount equal to that which the child would receive under s. ~~20.435~~

1 ~~(3) 20.437 (1) (cx), (gx), (kw), and (mx) or 46.495~~ 48.569 (1) (d) if the child were 17
2 years of age.

3 **SECTION 379.** 48.48 (18) of the statutes is created to read:

4 48.48 (18) To contract with public or voluntary agencies or others for the
5 following purposes:

6 (a) To purchase in full or in part care and services that the department is
7 authorized by any statute to provide as an alternative to providing that care and
8 those services itself.

9 (b) To purchase or provide in full or in part the care and services that county
10 agencies may provide or purchase under any statute and to sell to county agencies
11 such portions of that care and those services as the county agency may desire to
12 purchase.

13 (d) To sell services, under contract, that the department is authorized to
14 provide by statute, to any federally recognized tribal governing body.

15 **SECTION 380.** 48.547 (2) of the statutes is amended to read:

16 48.547 (2) DEPARTMENT RESPONSIBILITIES. Within the availability of funding
17 under s. ~~20.435 (7)~~ 20.437 (1) (mb) that is available for the program, the department
18 shall select counties to participate in the program. Unless a county department of
19 human services has been established under s. 46.23 in the county that is seeking to
20 implement a program, the application submitted to the department shall be a joint
21 application by the county department that provides social services and the county
22 department established under s. 51.42 or 51.437. The department shall select
23 counties in accordance with the request for proposal procedures established by the
24 department. The department shall give a preference to county applications that
25 include a plan for case management.

1 **SECTION 381.** 48.55 (1) of the statutes is amended to read:

2 48.55 (1) The department shall establish a state adoption information
3 exchange for the purpose of finding adoptive homes for children with special needs
4 who do not have permanent homes and a state adoption center for the purposes of
5 increasing public knowledge of adoption and promoting to adolescents and pregnant
6 women the availability of adoption services. From the appropriation under s. ~~20.435~~
7 ~~(3) 20.437 (1)~~ (dg), the department may provide ~~not more than \$163,700 in fiscal year~~
8 ~~2001-02 and not more than \$171,300 in each fiscal year thereafter~~ as grants to
9 individuals and private agencies to provide adoption information exchange services
10 and to operate the state adoption center.

11 **SECTION 382.** 48.561 (3) (a) 1. of the statutes is amended to read:

12 48.561 (3) (a) 1. Through a reduction of \$37,209,200 from the amount
13 distributed to that county under s. ~~46.40~~ 48.563 (2) in each state fiscal year.

14 **SECTION 383.** 48.561 (3) (b) of the statutes is amended to read:

15 48.561 (3) (b) The department of administration shall collect the amount
16 specified in par. (a) 3. from a county having a population of 500,000 or more by
17 deducting all or part of that amount from any state payment due that county under
18 s. 79.03, 79.04, 79.058, 79.06, or 79.08. The department of administration shall
19 notify the department of revenue, by September 15 of each year, of the amount to be
20 deducted from the state payments due under s. 79.03, 79.04, 79.058, 79.06, or 79.08.
21 The department of administration shall credit all amounts collected under this
22 paragraph to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1) (kw) and shall
23 notify the county from which those amounts are collected of that collection. The
24 department may not expend any moneys from the appropriation account under s.
25 ~~20.435 (3)~~ 20.437 (1) (cx) for providing services to children and families under s. 48.48

1 (17) until the amounts in the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)
2 (kw) are exhausted.

3 **SECTION 384.** 48.563 of the statutes is created to read:

4 **48.563 Children and family aids funding. (1) DISTRIBUTION LIMITS.** (a)
5 Within the limits of available federal funds and of the appropriations under s. 20.437
6 (1) (b) and (o), the department shall distribute funds for children and family services
7 to county departments as provided in subs. (2), (3), and (7m) and s. 48.986.

8 (d) If the department receives from the department of health and family
9 services under s. 46.40 (1) (d) any federal moneys under 42 USC 1396 to 1396v in
10 reimbursement of the cost of preventing out-of-home placements of children, the
11 department shall use those moneys as the first source of moneys used to meet the
12 amount of the allocation under sub. (2) that is budgeted from federal funds.

13 **(2) BASIC COUNTY ALLOCATION.** For children and family services under s. 48.569
14 (1) (d), the department shall distribute not more than \$66,268,600 in each fiscal year.

15 **(2d) TRANSFER BETWEEN COUNTY ALLOCATIONS.** A county department may
16 transfer moneys distributed to that county department under this subsection to the
17 allocation of that county department under s. 46.40 (2). This subsection does not
18 apply after December 31, 2014.

19 **SECTION 385.** 48.565 of the statutes is created to read:

20 **48.565 Carry-over of children and family aids funds.** Funds allocated by
21 the department under s. 48.569 (1) (d) but not spent or encumbered by counties,
22 governing bodies of federally recognized American Indian tribes, or private nonprofit
23 organizations by December 31 of each year and funds recovered under s. 48.569 (2)
24 (b) and deposited into the appropriation account under s. 20.437 (1) (b) lapse to the

1 general fund on the succeeding January 1 unless carried forward to the next calendar
2 year under s. 20.437 (1) (b) or as follows:

3 (3) At the request of a county, tribal governing body, or private nonprofit
4 organization, the department shall carry forward up to 3 percent of the total amount
5 allocated to the county, tribal governing body, or nonprofit organization for a
6 calendar year. All funds carried forward for a tribal governing body or nonprofit
7 organization and all federal child welfare funds under 42 USC 620 to 626 carried
8 forward for a county shall be used for the purpose for which the funds were originally
9 allocated. Other funds carried forward under this subsection may be used for any
10 purpose under s. 20.437 (1) (b), except that a county may not use any funds carried
11 forward under this subsection for administrative or staff costs. An allocation of
12 carried-forward funding under this subsection does not affect a county's base
13 allocation under s. 48.563 (2).

14 (6) The department may carry forward 10 percent of any funds specified in sub.
15 (3) that are not carried forward under sub. (3) for emergencies, for justifiable unit
16 services costs above planned levels, and for increased costs due to population shifts.
17 An allocation of carried-forward funding under this subsection does not affect a
18 county's base allocation under s. 48.563 (2).

19 **SECTION 386.** 48.567 of the statutes is created to read:

20 **48.567 Expenditure of income augmentation services receipts. (1)**
21 From the appropriation account under s. 20.437 (3) (mp), the department shall
22 support costs that are exclusively related to the ongoing and recurring operational
23 costs of augmenting the amount of moneys received under 42 USC 670 to 679a and
24 to any other purpose provided for by the legislature by law or in budget

1 determinations. In addition, the department may expend moneys from the
2 appropriation account under s. 20.437 (3) (mp) as provided in sub. (2).

3 (2) If the department proposes to use any moneys from the appropriation
4 account under s. 20.437 (3) (mp) or any moneys transferred to the department under
5 s. 46.46 (1m) for any purpose other than the purposes specified in sub. (1) or s. 46.46
6 (1m), the department shall submit a plan for the proposed use of those moneys to the
7 secretary of administration by September 1 of the fiscal year after the fiscal year in
8 which those moneys were received. If the secretary of administration approves the
9 plan, he or she shall submit the plan to the joint committee on finance by October 1
10 of the fiscal year after the fiscal year in which those moneys were received. If the
11 cochairpersons of the committee do not notify the secretary of administration within
12 14 working days after the date of submittal of the plan that the committee has
13 scheduled a meeting for the purpose of reviewing the plan, the department may
14 implement the plan. If within 14 working days after the date of the submittal by the
15 secretary of administration the cochairpersons of the committee notify him or her
16 that the committee has scheduled a meeting for the purpose of reviewing the plan,
17 the department may implement the plan only with the approval of the committee.

18 **SECTION 387.** 48.568 of the statutes is created to read:

19 **48.568 Allocation of federal funds for children and family aids and**
20 **child welfare.** Subject to s. 48.563 (1) (b) and (c), if the department receives
21 unanticipated federal foster care and adoption assistance payments under 42 USC
22 670 to 679a and it proposes to allocate the unanticipated funds so that an allocation
23 limit in s. 48.563 is exceeded, the department shall submit a plan for the proposed
24 allocation to the secretary of administration. If the secretary of administration
25 approves the plan, he or she shall submit it to the joint committee on finance. If the

1 cochairpersons of the committee do not notify the secretary of administration that
2 the committee has scheduled a meeting for the purpose of reviewing the plan within
3 14 working days after the date of his or her submittal, the department may
4 implement the plan, notwithstanding any allocation limits under s. 46.40. If within
5 14 working days after the date of the submittal by the secretary of administration
6 the cochairpersons of the committee notify him or her that the committee has
7 scheduled a meeting for the purpose of reviewing the plan, the department may
8 implement the plan, notwithstanding s. 46.40, only with the approval of the
9 committee.

10 **SECTION 388.** 48.569 of the statutes is created to read:

11 **48.569 Distribution of children and family aids funds to counties. (1)**

12 (am) The department shall reimburse each county from the appropriations under
13 s. 20.437 (1) (b) and (o) for children and family services as approved by the
14 department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

15 (d) From the appropriations under s. 20.437 (1) (b) and (o), the department shall
16 distribute the funding for children and family services, including funding for foster
17 care, treatment foster care, or subsidized guardianship care of a child on whose
18 behalf aid is received under s. 48.645 to county departments as provided under s.
19 48.563. County matching funds are required for the distribution under s. 48.563 (2).
20 Each county's required match for the distribution under s. 48.563 (2) shall be
21 specified in a schedule established annually by the department. Matching funds
22 may be from county tax levies, federal and state revenue sharing funds, or private
23 donations to the county that meet the requirements specified in sub. (1m). Private
24 donations may not exceed 25 percent of the total county match. If the county match
25 is less than the amount required to generate the full amount of state and federal

1 funds distributed for this period, the decrease in the amount of state and federal
2 funds equals the difference between the required and the actual amount of county
3 matching funds.

4 (dc) The department shall prorate the amount allocated to any county
5 department under par. (d) to reflect actual federal funds available.

6 (f) 1. If any state matching funds allocated under par. (d) to match county funds
7 are not claimed, the funds shall be redistributed for the purposes the department
8 designates.

9 2. The county allocation to match aid increases shall be included in the contract
10 under s. 49.325 (2g), and approved by January 1 of the year for which funds are
11 allocated, in order to generate state aid matching funds. All funds allocated under
12 par. (d) shall be included in the contract under s. 49.325 (2g) and approved.

13 (1m) (a) A private donation to a county may be used to match the state
14 grant-in-aid under sub. (1) (d) only if the donation is both of the following:

15 1. Donated to a county department and the donation is under the
16 administrative control of that county department.

17 2. Donated without restrictions as to use, unless the restrictions specify that
18 the donation be used for a particular service and the donor neither sponsors nor
19 operates the service.

20 (b) Voluntary federated fund-raising organizations are not sponsors or
21 operators of services within the meaning of par. (a) 2. Any member agency of such
22 an organization that sponsors or operates services is considered to be an autonomous
23 entity separate from the organization unless the board membership of the
24 organization and the agency interlock.

1 **(2) (a)** The county treasurer and each director of a county department shall
2 monthly certify under oath to the department, in the manner the department
3 prescribes, the claim of the county for state reimbursement under this section, and
4 if the department approves the claim it shall certify to the department of
5 administration for reimbursement to the county for amounts due under this section
6 and payment claimed to be made to the counties monthly. The department may make
7 advance payments prior to the beginning of each month equal to one-twelfth of the
8 contracted amount.

9 **(b)** To facilitate prompt reimbursement, the certificate of the department may
10 be based on the certified statements of the county officers filed under par. (a). Funds
11 recovered from audit adjustments from a prior fiscal year may be included in
12 subsequent certifications only to pay counties owed funds as a result of any audit
13 adjustment. By September 30 of each year the department shall submit a report to
14 the appropriate standing committees under s. 13.172 (3) on funds recovered and paid
15 out during the previous calendar year as a result of audit adjustments.

16 **SECTION 389.** 48.57 (1) (g) of the statutes is amended to read:

17 48.57 (1) (g) Upon request of the department of ~~health and family services~~ or
18 the department of corrections, to provide service for any child or expectant mother
19 of an unborn child in the care of those departments.

20 **SECTION 390.** 48.57 (3) (a) 3. (intro.) of the statutes is amended to read:

21 48.57 (3) (a) 3. (intro.) Received funding under s. 48.569 (1) (d) or under s.
22 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday; and

23 **SECTION 391.** 48.57 (3) (b) of the statutes is amended to read:

1 48.57 (3) (b) The funding provided for the maintenance of a child under par. (a)
2 shall be in an amount equal to that which the child would receive under s. 46.495
3 48.569 (1) (d) if the child were 17 years of age.

4 **SECTION 392.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

5 48.57 (3m) (am) (intro.) From the appropriation under s. 20.435 (3) 20.437 (1)
6 (kc), the department shall reimburse counties having populations of less than
7 500,000 for payments made under this subsection and shall make payments under
8 this subsection in a county having a population of 500,000 or more. A county
9 department and, in a county having a population of 500,000 or more, the department
10 shall make payments in the amount of \$215 per month to a kinship care relative who
11 is providing care and maintenance for a child if all of the following conditions are met:

12 **SECTION 393.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

13 48.57 (3n) (am) (intro.) From the appropriation under s. 20.435 (3) 20.437 (1)
14 (kc), the department shall reimburse counties having populations of less than
15 500,000 for payments made under this subsection and shall make payments under
16 this subsection in a county having a population of 500,000 or more. A county
17 department and, in a county having a population of 500,000 or more, the department
18 shall make monthly payments for each child in the amount specified in sub. (3m)
19 (am) (intro.) to a long-term kinship care relative who is providing care and
20 maintenance for that child if all of the following conditions are met:

21 **SECTION 394.** 48.57 (3p) (b) 1. of the statutes is amended to read:

22 48.57 (3p) (b) 1. After receipt of an application for payments under sub. (3m)
23 or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a
24 population of 500,000 or more, the department of ~~health and family services~~, with

1 the assistance of the department of justice, shall conduct a background investigation
2 of the applicant.

3 **SECTION 395.** 48.57 (3p) (b) 2. of the statutes is amended to read:

4 48.57 (3p) (b) 2. The county department or, in a county having a population of
5 500,000 or more, the department of ~~health and family services~~, with the assistance
6 of the department of justice, may conduct a background investigation of any person
7 who is receiving payments under sub. (3m) at the time of review under sub. (3m) (d)
8 or at any other time that the county department or department of ~~health and family~~
9 ~~services~~ considers to be appropriate.

10 **SECTION 396.** 48.57 (3p) (b) 3. of the statutes is amended to read:

11 48.57 (3p) (b) 3. The county department or, in a county having a population of
12 500,000 or more, the department of ~~health and family services~~, with the assistance
13 of the department of justice, may conduct a background investigation of any person
14 who is receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) at any time that
15 the county department or department of ~~health and family services~~ considers to be
16 appropriate.

17 **SECTION 397.** 48.57 (3p) (c) 1. of the statutes is amended to read:

18 48.57 (3p) (c) 1. After receipt of an application for payments under sub. (3m)
19 or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a
20 population of 500,000 or more, the department of ~~health and family services~~, with
21 the assistance of the department of justice, shall, in addition to the investigation
22 under par. (b) 1., conduct a background investigation of all employees and
23 prospective employees of the applicant who have or would have regular contact with
24 the child for whom those payments are being made and of each adult resident.

25 **SECTION 398.** 48.57 (3p) (c) 2. of the statutes is amended to read:

1 48.57 (3p) (c) 2. The county department or, in a county having a population of
2 500,000 or more, the department of ~~health and family services~~, with the assistance
3 of the department of justice, may conduct a background investigation of any of the
4 employees or prospective employees of any person who is receiving payments under
5 sub. (3m) who have or would have regular contact with the child for whom those
6 payments are being made and of each adult resident at the time of review under sub.
7 (3m) (d) or at any other time that the county department or department of ~~health and~~
8 ~~family services~~ considers to be appropriate.

9 **SECTION 399.** 48.57 (3p) (c) 2m. of the statutes is amended to read:

10 48.57 (3p) (c) 2m. The county department or, in a county having a population
11 of 500,000 or more, the department of ~~health and family services~~, with the assistance
12 of the department of justice, may conduct a background investigation of any of the
13 employees or prospective employees of any person who is receiving payments under
14 sub. (3n) or s. 48.62 (5) (a) or (b) who have or would have regular contact with the child
15 for whom payments are being made and of each adult resident at any time that the
16 county department or department of ~~health and family services~~ considers to be
17 appropriate.

18 **SECTION 400.** 48.57 (3p) (c) 3. of the statutes is amended to read:

19 48.57 (3p) (c) 3. Before a person who is receiving payments under sub. (3m) or
20 (3n) or s. 48.62 (5) (a) or (b) may employ any person in a position in which that person
21 would have regular contact with the child for whom those payments are being made
22 or permit any person to be an adult resident, the county department or, in a county
23 having a population of 500,000 or more, the department of ~~health and family~~
24 ~~services~~, with the assistance of the department of justice, shall conduct a background

1 investigation of the prospective employee or prospective adult resident unless that
2 person has already been investigated under subd. 1., 2. or 2m.

3 **SECTION 401.** 48.57 (3p) (d) of the statutes is amended to read:

4 48.57 (3p) (d) If the person being investigated under par. (b) or (c) is a
5 nonresident, or at any time within the 5 years preceding the date of the application
6 has been a nonresident, or if the county department or, in a county having a
7 population of 500,000 or more, the department of ~~health and family services~~
8 determines that the person's employment, licensing or state court records provide a
9 reasonable basis for further investigation, the county department or department of
10 ~~health and family services~~ shall require the person to be fingerprinted on 2
11 fingerprint cards, each bearing a complete set of the person's fingerprints. The
12 department of justice may provide for the submission of the fingerprint cards to the
13 federal bureau of investigation for the purposes of verifying the identity of the person
14 fingerprinted and obtaining records of his or her criminal arrest and conviction.

15 **SECTION 402.** 48.57 (3p) (e) (intro.) of the statutes is amended to read:

16 48.57 (3p) (e) (intro.) Upon request, a person being investigated under par. (b)
17 or (c) shall provide the county department or, in a county having a population of
18 500,000 or more, the department of ~~health and family services~~ with all of the
19 following information:

20 **SECTION 403.** 48.57 (3p) (fm) 1. of the statutes is amended to read:

21 48.57 (3p) (fm) 1. The county department or, in a county having a population
22 of 500,000 or more, the department of ~~health and family services~~ may provisionally
23 approve the making of payments under sub. (3m) based on the applicant's statement
24 under sub. (3m) (am) 4m. The county department or department of ~~health and family~~
25 ~~services~~ may not finally approve the making of payments under sub. (3m) unless the

1 county department or department of ~~health and family services~~ receives information
2 from the department of justice indicating that the conviction record of the applicant
3 under the law of this state is satisfactory according to the criteria specified in par.
4 (g) 1. to 3. or payment is approved under par. (h) 4. The county department or
5 department of ~~health and family services~~ may make payments under sub. (3m)
6 conditioned on the receipt of information from the federal bureau of investigation
7 indicating that the person's conviction record under the law of any other state or
8 under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

9 **SECTION 404.** 48.57 (3p) (fm) 1m. of the statutes is amended to read:

10 48.57 (3p) (fm) 1m. The county department or, in a county having a population
11 of 500,000 or more, the department of ~~health and family services~~ may not enter into
12 the agreement under sub. (3n) (am) 6. or make payments under s. 48.62 (5) (a) or (b)
13 unless the county department or department of ~~health and family services~~ receives
14 information from the department of justice relating to the conviction record of the
15 applicant under the law of this state and that record indicates either that the
16 applicant has not been arrested or convicted or that the applicant has been arrested
17 or convicted but the director of the county department or, in a county having a
18 population of 500,000 or more, the person designated by the secretary of ~~health and~~
19 ~~family services~~ to review conviction records under this subdivision determines that
20 the conviction record is satisfactory because it does not include any arrest or
21 conviction that the director or person designated by the secretary determines is
22 likely to adversely affect the child or the applicant's ability to care for the child. The
23 county department or, in a county having a population of 500,000 or more, the
24 department of ~~health and family services~~ may make payments under sub. (3n) or s.
25 48.62 (5) (a) or (b) conditioned on the receipt of information from the federal bureau

1 of investigation indicating that the person's conviction record under the law of any
2 other state or under federal law is satisfactory because the conviction record does not
3 include any arrest or conviction that the director of the county department or, in a
4 county having a population of 500,000 or more, the person designated by the
5 secretary of health and family services to review conviction records under this
6 subdivision determines is likely to adversely affect the child or the applicant's ability
7 to care for the child.

8 **SECTION 405.** 48.57 (3p) (fm) 2. of the statutes is amended to read:

9 48.57 (3p) (fm) 2. A person receiving payments under sub. (3m) may
10 provisionally employ a person in a position in which that person would have regular
11 contact with the child for whom those payments are being made or provisionally
12 permit a person to be an adult resident if the person receiving those payments states
13 to the county department or, in a county having a population of 500,000 or more, the
14 department of health and family services that the employee or adult resident does
15 not have any arrests or convictions that could adversely affect the child or the ability
16 of the person receiving payments to care for the child. A person receiving payments
17 under sub. (3m) may not finally employ a person in a position in which that person
18 would have regular contact with the child for whom those payments are being made
19 or finally permit a person to be an adult resident until the county department or, in
20 a county having a population of 500,000 or more, the department of health and family
21 services receives information from the department of justice indicating that the
22 person's conviction record under the law of this state is satisfactory according to the
23 criteria specified in par. (g) 1. to 3. and the county department or, in a county having
24 a population of 500,000 or more, the department of health and family services so
25 advises the person receiving payments under sub. (3m) or until a decision is made

1 under par. (h) 4. to permit a person who is receiving payments under sub. (3m) to
2 employ a person in a position in which that person would have regular contact with
3 the child for whom payments are being made or to permit a person to be an adult
4 resident and the county department or, in a county having a population of 500,000
5 or more, the department of health and family services so advises the person receiving
6 payments under sub. (3m). A person receiving payments under sub. (3m) may finally
7 employ a person in a position in which that person would have regular contact with
8 the child for whom those payments are being made or finally permit a person to be
9 an adult resident conditioned on the receipt of information from the county
10 department or, in a county having a population of 500,000 or more, the department
11 of health and family services that the federal bureau of investigation indicates that
12 the person's conviction record under the law of any other state or under federal law
13 is satisfactory according to the criteria specified in par. (g) 1. to 3.

14 **SECTION 406.** 48.57 (3p) (fm) 2m. of the statutes is amended to read:

15 48.57 (3p) (fm) 2m. A person receiving payments under sub. (3n) or s. 48.62 (5)
16 (a) or (b) may provisionally employ a person in a position in which that person would
17 have regular contact with the child for whom those payments are being made or
18 provisionally permit a person to be an adult resident if the person receiving those
19 payments states to the county department or, in a county having a population of
20 500,000 or more, the department of health and family services that, to the best of his
21 or her knowledge, the employee or adult resident does not have any arrests or
22 convictions that could adversely affect the child or the ability of the person receiving
23 payments to care for the child. A person receiving payment under sub. (3n) or s. 48.62
24 (5) (a) or (b) may not finally employ a person in a position in which that person would
25 have regular contact with the child for whom those payments are being made or

1 finally permit a person to be an adult resident until the county department or, in a
2 county having a population of 500,000 or more, the department of ~~health and family~~
3 ~~services~~ receives information from the department of justice relating to the person's
4 conviction record under the law of this state and that record indicates either that the
5 person has not been arrested or convicted or that the person has been arrested or
6 convicted but the director of the county department or, in a county having a
7 population of 500,000 or more, the person designated by the secretary of ~~health and~~
8 ~~family services~~ to review conviction records under this subdivision determines that
9 the conviction record is satisfactory because it does not include any arrest or
10 conviction that is likely to adversely affect the child or the ability of the person
11 receiving payments to care for the child and the county department or department
12 of ~~health and family services~~ so advises the person receiving payments under sub.
13 (3n) or s. 48.62 (5) (a) or (b). A person receiving payments under sub. (3n) or s. 48.62
14 (5) (a) or (b) may finally employ a person in a position in which that person would
15 have regular contact with the child for whom those payments are being made or
16 finally permit a person to be an adult resident conditioned on the receipt of
17 information from the county department or, in a county having a population of
18 500,000 or more, the department of ~~health and family services~~ that the federal
19 bureau of investigation indicates that the person's conviction record under the law
20 of any other state or under federal law is satisfactory because the conviction record
21 does not include any arrest or conviction that the director of the county department
22 or, in a county having a population of 500,000 or more, the person designated by the
23 secretary of ~~health and family services~~ to review conviction records under this
24 subdivision determines is likely to adversely affect the child or the ability of the
25 person receiving payments to care for the child.