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1 ***-1261/P3.290*** SECTION 375. 46.515 (6) (e) of the statutes is renumbered
2 48.983 (6) (e).

3 ***-1261/P3.291*** SECTION 376. 46.515 (6g) of the statutes is renumbered 48.983
4 (6g).

5 ***-1261/P3.292*** SECTION 377. 46.515 (6m) of the statutes is renumbered
6 48.983 (6m) and amended to read:

7 48.983 (6m) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT.

8 If a person who is providing services under a home visitation program under sub. (4)

9 (b) 1. determines that he or she is required or permitted to make a report under s.

10 48.981 (2) about a child in a family to which the person is providing those services,

11 the person shall, prior to making the report under s. 48.981 (2), make a reasonable

12 effort to notify the child's parent that a report under s. 48.981 (2) will be made and

13 to encourage the parent to contact a county department ~~under s. 46.22 or 46.23~~ to

14 request assistance. The notification requirements under this subsection do not affect

15 the reporting requirements under s. 48.981 (2).

16 ***-1261/P3.293*** SECTION 378. 46.515 (6r) of the statutes is renumbered 48.983
17 (6r).

18 ***-1261/P3.294*** SECTION 379. 46.515 (7) of the statutes is renumbered 48.983
19 (7).

20 ***-1261/P3.295*** SECTION 380. 46.515 (8) of the statutes is renumbered 48.983
21 (8).

22 ***-1261/P3.296*** SECTION 381. 46.75 (title) of the statutes is renumbered
23 49.171 (title).

24 ***-1261/P3.297*** SECTION 382. 46.75 (1) of the statutes is renumbered 49.171
25 (1).

1 ***-1261/P3.298*** SECTION 383. 46.75 (2) (title) of the statutes is renumbered
2 49.171 (2) (title).

3 ***-1261/P3.299*** SECTION 384. 46.75 (2) (a) of the statutes is renumbered
4 49.171 (2) (a) and amended to read:

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

9 ***-1261/P3.300*** SECTION 385. 46.75 (2) (b) of the statutes is renumbered
10 49.171 (2) (b).

11 ***-1261/P3.301*** SECTION 386. 46.75 (3) of the statutes is renumbered 49.171
12 (3).

13 ***-1261/P3.302*** SECTION 387. 46.76 of the statutes is renumbered 49.172.

14 ***-1261/P3.303*** SECTION 388. 46.766 of the statutes is repealed.

15 ***-1261/P3.304*** SECTION 389. 46.77 of the statutes is renumbered 49.1715 and
16 amended to read:

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

22 ***-1261/P3.305*** SECTION 390. 46.95 (title) of the statutes is renumbered
23 49.165 (title).

24 ***-1261/P3.306*** SECTION 391. 46.95 (1) of the statutes is renumbered 49.165
25 (1).

1 ***-1261/P3.307*** **SECTION 392.** 46.95 (2) (title) of the statutes is renumbered
2 49.165 (2) (title).

3 ***-1261/P3.308*** **SECTION 393.** 46.95 (2) (a) of the statutes is renumbered
4 49.165 (2) (a) and amended to read:

5 49.165 (2) (a) The secretary shall make grants from the appropriations under
6 s. ~~20.435 (3)~~ 20.437 (1) (cd) and (hh) to organizations for the provision of any of the
7 services specified in sub. (1) (d). Grants may be made to organizations which have
8 provided those domestic abuse services in the past or to organizations which propose
9 to provide those services in the future. No grant may be made to fund services for
10 child or unborn child abuse or abuse of elderly persons.

11 ***-1261/P3.309*** **SECTION 394.** 46.95 (2) (b) of the statutes is renumbered
12 49.165 (2) (b).

13 ***-1261/P3.310*** **SECTION 395.** 46.95 (2) (c) of the statutes is renumbered 49.165
14 (2) (c).

15 ***-1261/P3.311*** **SECTION 396.** 46.95 (2) (d) of the statutes is renumbered
16 49.165 (2) (d).

17 ***-1261/P3.312*** **SECTION 397.** 46.95 (2) (e) of the statutes is renumbered
18 49.165 (2) (e).

19 ***-1261/P3.313*** **SECTION 398.** 46.95 (2) (f) (intro.) of the statutes is
20 renumbered 49.165 (2) (f) (intro.) and amended to read:

21 49.165 (2) (f) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cd)
22 and (hh), the department shall do all of the following:

23 ***-1261/P3.314*** **SECTION 399.** 46.95 (2) (f) 1. of the statutes is renumbered
24 49.165 (2) (f) 1.

1 ***-1261/P3.315* SECTION 400.** 46.95 (2) (f) 5. of the statutes is renumbered
2 49.165 (2) (f) 5.

3 ***-1261/P3.316* SECTION 401.** 46.95 (2) (f) 6. of the statutes is renumbered
4 49.165 (2) (f) 6.

5 ***-1261/P3.317* SECTION 402.** 46.95 (2) (f) 7. of the statutes is renumbered
6 49.165 (2) (f) 7.

7 ***-1261/P3.318* SECTION 403.** 46.95 (2) (f) 8. of the statutes is renumbered
8 49.165 (2) (f) 8.

9 ***-1261/P3.319* SECTION 404.** 46.95 (2) (f) 9. of the statutes is renumbered
10 49.165 (2) (f) 9.

11 ***-1261/P3.320* SECTION 405.** 46.95 (2) (f) 10. of the statutes is renumbered
12 49.165 (2) (f) 10.

13 ***-1261/P3.321* SECTION 406.** 46.95 (2m) of the statutes is renumbered 49.165
14 (2m).

15 ***-1261/P3.322* SECTION 407.** 46.95 (3) of the statutes is renumbered 49.165
16 (3).

17 ***-1261/P3.323* SECTION 408.** 46.95 (4) of the statutes is renumbered 49.165
18 (4).

19 ***-1261/P3.324* SECTION 409.** 46.99 (title) of the statutes is renumbered
20 48.545 (title).

21 ***-1261/P3.325* SECTION 410.** 46.99 (1) of the statutes is renumbered 48.545
22 (1).

23 ***-1261/P3.326* SECTION 411.** 46.99 (2) (title) of the statutes is renumbered
24 48.545 (2) (title).

1 ***-1261/P3.327* SECTION 412.** 46.99 (2) (a) (intro.) of the statutes is
2 renumbered 48.545 (2) (a) (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 ***-1261/P3.328* SECTION 413.** 46.99 (2) (a) 1. of the statutes is renumbered
11 48.545 (2) (a) 1.

12 ***-1261/P3.329* SECTION 414.** 46.99 (2) (a) 2. of the statutes is renumbered
13 48.545 (2) (a) 2.

14 ***-1261/P3.330* SECTION 415.** 46.99 (2) (a) 3. of the statutes is renumbered
15 48.545 (2) (a) 3.

16 ***-1261/P3.331* SECTION 416.** 46.99 (2) (a) 4. of the statutes is renumbered
17 48.545 (2) (a) 4.

18 ***-1261/P3.332* SECTION 417.** 46.99 (2) (a) 5. of the statutes is renumbered
19 48.545 (2) (a) 5.

20 ***-1261/P3.333* SECTION 418.** 46.99 (2) (b) of the statutes is renumbered
21 48.545 (2) (b).

22 ***-1261/P3.334* SECTION 419.** 46.99 (3) of the statutes is renumbered 48.545
23 (3).

24 ***-1261/P3.335* SECTION 420.** 46.995 (title) of the statutes is renumbered
25 48.487 (title).

1 ***-1261/P3.336*** SECTION 421. 46.995 (1m) of the statutes is renumbered
2 48.487 (1m) and amended to read:

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

6 ***-1261/P3.337*** SECTION 422. 46.995 (2) of the statutes is renumbered 48.487
7 (2).

8 ***-1261/P3.338*** SECTION 423. 46.995 (3) of the statutes is renumbered 48.487
9 (3).

10 ***-1261/P3.339*** SECTION 424. 46.995 (4m) of the statutes is renumbered
11 48.487 (4m).

12 ***-1261/P3.340*** SECTION 425. 46.997 (title) of the statutes is renumbered
13 48.647 (title).

14 ***-1261/P3.341*** SECTION 426. 46.997 (1) of the statutes is renumbered 48.647
15 (1).

16 ***-1261/P3.342*** SECTION 427. 46.997 (2) (title) of the statutes is renumbered
17 48.647 (2) (title).

18 ***-1261/P3.343*** SECTION 428. 46.997 (2) (a) of the statutes is renumbered
19 48.647 (2) (a) and amended to read:

20 48.647 **(2)** (a) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (f), the
21 department shall distribute not more than \$0 in each fiscal year as grants to private
22 agencies to provide 2nd-chance homes and related services to eligible persons who
23 are placed under s. 48.63 (5) in 2nd-chance homes operated by those private
24 agencies. A private agency that is awarded a grant under this paragraph may use
25 the amount awarded under the grant to provide care and maintenance to eligible

1 persons who are placed under s. 48.63 (5) in a 2nd-chance home operated by the
2 private agency; provide services, including the services specified in sub. (3), to
3 eligible persons who currently are or formerly were placed under s. 48.63 (5) in the
4 2nd-chance home, to the children and families of those eligible persons, and to the
5 noncustodial parents of the children of those eligible persons; and, in the first year
6 of the grant period, pay for the start-up costs, other than capital costs, of the private
7 agency's program funded under this paragraph.

8 ***-1261/P3.344* SECTION 429.** 46.997 (2) (b) of the statutes is renumbered
9 48.647 (2) (b) and amended to read:

10 48.647 (2) (b) ~~The department of health and family services~~ shall award the
11 grants under par. (a) on a competitive basis and according to request-for-proposal
12 procedures that the department of health and family services shall prescribe in
13 consultation with the department of workforce development, local health
14 departments, as defined in s. 250.01 (4), and other providers of services to eligible
15 persons. Those request-for-proposal procedures shall include a requirement that
16 a private agency that applies for a grant under par. (a) include in its grant application
17 proof that the private agency has the cultural competency to provide services under
18 the grant to persons and families in the various cultures in the private agency's
19 target population and that cultural competency is incorporated in the private
20 agency's policies, administration, and practices. In awarding the grants under par.
21 (a), ~~the department of health and family services~~ shall consider the need for those
22 grants to be distributed both on a statewide basis and in the areas of the state with
23 the greatest need for 2nd-chance homes and the need to provide placements for
24 children who are voluntarily placed in a 2nd-chance home as well as for children who
25 are placed in a 2nd-chance home by court order.

1 ***-1261/P3.345*** SECTION 430. 46.997 (2) (c) of the statutes is renumbered
2 48.647 (2) (c).

3 ***-1261/P3.346*** SECTION 431. 46.997 (2) (d) of the statutes is renumbered
4 48.647 (2) (d).

5 ***-1261/P3.347*** SECTION 432. 46.997 (2) (e) of the statutes is renumbered
6 48.647 (2) (e).

7 ***-1261/P3.348*** SECTION 433. 46.997 (3) of the statutes is renumbered 48.647
8 (3).

9 ***-1261/P3.349*** SECTION 434. 46.997 (4) of the statutes is renumbered 48.647
10 (4) and amended to read:

11 48.647 (4) EVALUATION. From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)
12 (f), the department shall conduct or shall select an evaluator to conduct an evaluation
13 of the grant program under this section and, by June 1 of the 3rd calendar year
14 beginning after the year in which the first grant under this section is awarded, shall
15 submit a report on that evaluation to the governor and to the appropriate standing
16 committees under s. 13.172 (3). The evaluation shall measure the economic
17 self-sufficiency, parenting skills, independent living skills, and life choice
18 decision-making skills of the eligible persons who received services under the
19 program and any other criteria that the department determines to be appropriate for
20 evaluation.

21 ***-1261/P3.350*** SECTION 435. 48.01 (1) (h) of the statutes is created to read:

22 48.01 (1) (h) To provide a just and humane program of services to nonmarital
23 children, children and unborn children in need of protection or services, and the
24 expectant mothers of those unborn children; to avoid duplication and waste of effort

1 and money on the part of public and private agencies; and to coordinate and integrate
2 a program of services to children and families.

3 ***-1261/P3.351* SECTION 436.** 48.02 (4) of the statutes is amended to read:

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

6 ***-1261/P3.352* SECTION 437.** 48.02 (16) of the statutes is created to read:

7 48.02 (16) "Secretary" means the secretary of children and families.

8 ***-1261/P3.353* SECTION 438.** 48.06 (4) of the statutes is amended to read:

9 48.06 (4) STATE AID. State aid to any county for court services under this section
10 shall be at the same net effective rate that each county is reimbursed for county
11 administration under s. ~~46.495~~ 48.569. Counties having a population of less than
12 500,000 may use funds received under s. ~~46.495~~ 48.569 (1) (d), including county or
13 federal revenue sharing funds allocated to match funds received under s. ~~46.495~~
14 48.569 (1) (d), for the cost of providing court attached intake services in amounts not
15 to exceed 50% of the cost of providing court attached intake services or \$30,000 per
16 county per calendar year, whichever is less.

17 ***-1261/P3.354* SECTION 439.** 48.275 (2) (d) 2. of the statutes is amended to
18 read:

19 48.275 (2) (d) 2. In a county having a population of 500,000 or more,
20 reimbursement payments shall be made to the clerk of courts of the county where the
21 proceedings took place. Each payment shall be transmitted to the secretary of
22 administration, who shall deposit the amount paid in the general fund and credit
23 25% of the amount paid to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)
24 (gx) and the remainder to the appropriation account under s. 20.550 (1) (L).

25 ***-1261/P3.355* SECTION 440.** 48.30 (6) (b) of the statutes is amended to read:

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

12 ~~*-1267/P1.86* SECTION 441. 48.30 (6) (b) of the statutes is amended to read:~~

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

24 *-1261/P3.356* SECTION 442. 48.31 (7) (b) of the statutes is amended to read:

1 48.31 (7) (b) If it appears to the court that disposition of the case may include
2 placement of the child outside the child's home, the court shall order the child's
3 parent to provide a statement of income, assets, debts, and living expenses to the
4 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled
5 date of the dispositional hearing or as otherwise ordered by the court. The clerk of
6 court shall provide, without charge, to any parent ordered to provide a statement of
7 income, assets, debts, and living expenses a document setting forth the percentage
8 standard established by the department of ~~workforce development~~ under s. 49.22 (9)
9 and the manner of its application established by the department of ~~health and family~~
10 ~~services~~ under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
11 consider under s. ~~46.10~~ 49.345 (14) (c).

12 *~~-1267/P1.87~~* SECTION 443. 48.31 (7) (b) of the statutes is amended to read:

13 48.31 (7) (b) If it appears to the court that disposition of the case may include
14 placement of the child outside the child's home, the court shall order the child's
15 parent to provide a statement of income, assets, debts and living expenses to the
16 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled
17 date of the dispositional hearing or as otherwise ordered by the court. The clerk of
18 court shall provide, without charge, to any parent ordered to provide a statement of
19 income, assets, debts and living expenses a document setting forth the percentage
20 standard established by the department of ~~workforce development~~ children and
21 families under s. 49.22 (9) and the manner of its application established by the
22 department of health and family services under s. ~~46.247~~ and listing the factors that
23 a court may consider under s. 46.10 (14) (c).

24 *~~-1261/P3.357~~* SECTION 444. 48.33 (4m) (intro.) of the statutes is amended to
25 read:

1 48.33 (4m) SUPPORT RECOMMENDATIONS; INFORMATION TO PARENTS. (intro.) In
2 making a recommendation for an amount of child support under sub. (4), the agency
3 shall consider the factors that the court considers under s. ~~46.10~~ 49.345 (14) (c) for
4 deviation from the percentage standard. Prior to the dispositional hearing under s.
5 48.335, the agency shall provide the child's parent with all of the following:

6 *~~-1261/P3.358~~* SECTION 445. 48.33 (4m) (b) of the statutes is amended to read:

7 48.33 (4m) (b) A written explanation of how the parent may request that the
8 court modify the amount of child support under s. ~~46.10~~ 49.345 (14) (c).

9 *~~-1261/P3.359~~* SECTION 446. 48.357 (5m) (a) of the statutes is amended to
10 read:

11 48.357 (5m) (a) If a proposed change in placement changes a child's placement
12 from a placement in the child's home to a placement outside the child's home, the
13 court shall order the child's parent to provide a statement of income, assets, debts
14 and living expenses to the court or the person or agency primarily responsible for
15 implementing the dispositional order by a date specified by the court. The clerk of
16 court shall provide, without charge, to any parent ordered to provide a statement of
17 income, assets, debts, and living expenses a document setting forth the percentage
18 standard established by the department of workforce development under s. 49.22 (9)
19 and the manner of its application established by the department of health and family
20 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
21 consider under s. ~~46.10~~ 49.345 (14) (c). If the child is placed outside the child's home,
22 the court shall determine the liability of the parent in the manner provided in s. ~~46.10~~
23 49.345 (14).

24 *~~-1267/P1.88~~* SECTION 447. 48.357 (5m) (a) of the statutes is amended to read:

1 48.357 (5m) (a) If a proposed change in placement changes a child's placement
2 from a placement in the child's home to a placement outside the child's home, the
3 court shall order the child's parent to provide a statement of income, assets, debts
4 and living expenses to the court or the person or agency primarily responsible for
5 implementing the dispositional order by a date specified by the court. The clerk of
6 court shall provide, without charge, to any parent ordered to provide a statement of
7 income, assets, debts and living expenses a document setting forth the percentage
8 standard established by the department of workforce development children and
9 families under s. 49.22 (9) and the manner of its application established by the
10 department of health and family services under s. 46.247 and listing the factors that
11 a court may consider under s. 46.10 (14) (c). If the child is placed outside the child's
12 home, the court shall determine the liability of the parent in the manner provided
13 in s. 46.10 (14).

14 *-1261/P3.360* SECTION 448. 48.36 (1) (a) of the statutes is amended to read:

15 48.36 (1) (a) If legal custody is transferred from the parent or guardian or the
16 court otherwise designates an alternative placement for the child by a disposition
17 made under s. 48.345 or by a change in placement under s. 48.357, the duty of the
18 parent or guardian or, in the case of a transfer of guardianship and custody under
19 s. 48.839 (4), the duty of the former guardian to provide support shall continue even
20 though the legal custodian or the placement designee may provide the support. A
21 copy of the order transferring custody or designating alternative placement for the
22 child shall be submitted to the agency or person receiving custody or placement and
23 the agency or person may apply to the court for an order to compel the parent or
24 guardian to provide the support. Support payments for residential services, when
25 purchased or otherwise funded or provided by the department or a county

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1 department under s. 46.22, 46.23, 51.42 or 51.437, shall be determined under s. 46.10
2 49.345 (14). Support payments for residential services, when purchased or otherwise
3 funded by the department of health and family services or a county department
4 under s. 51.42 or 51.437, shall be determined under s. 46.10 (14).

5 ~~*-1261/P3.361*~~ SECTION 449. 48.36 (1) (b) of the statutes is amended to read:

6 48.36 (1) (b) In determining the amount of support under par. (a), the court may
7 consider all relevant financial information or other information relevant to the
8 parent's earning capacity, including information reported under s. 49.22 (2m) to the
9 department of workforce development or the county child support agency under s.
10 59.53 (5). If the court has insufficient information with which to determine the
11 amount of support, the court shall order the child's parent to furnish a statement of
12 income, assets, debts, and living expenses, if the parent has not already done so, to
13 the court within 10 days after the court's order transferring custody or designating
14 an alternative placement is entered or at such other time as ordered by the court.

15 ~~*-1267/P1.89*~~ SECTION 450. 48.36 (1) (b) of the statutes is amended to read:

16 48.36 (1) (b) In determining the amount of support under par. (a), the court may
17 consider all relevant financial information or other information relevant to the
18 parent's earning capacity, including information reported under s. 49.22 (2m) to the
19 department of workforce development children and families or the county child
20 support agency under s. 59.53 (5). If the court has insufficient information with
21 which to determine the amount of support, the court shall order the child's parent
22 to furnish a statement of income, assets, debts and living expenses, if the parent has
23 not already done so, to the court within 10 days after the court's order transferring
24 custody or designating an alternative placement is entered or at such other time as
25 ordered by the court.

1 ***-1261/P3.362*** SECTION 451. 48.36 (2) of the statutes is amended to read:

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

12 ***-1261/P3.363*** SECTION 452. 48.361 (2) (c) of the statutes is amended to read:

13 48.361 (2) (c) Payment for alcohol and other drug abuse services by a county
14 department under this section does not prohibit the county department from
15 contracting with another county department or approved treatment facility for the
16 provision of alcohol and other drug abuse services. Payment by the county under this
17 section does not prevent recovery of reasonable contribution toward the costs of the
18 court-ordered alcohol and other drug abuse services from the parent or adult
19 expectant mother which is based upon the ability of the parent or adult expectant
20 mother to pay. This subsection is subject to s. ~~46.03 (18)~~ 49.32 (1).

21 ***-1261/P3.364*** SECTION 453. 48.362 (4) (c) of the statutes is amended to read:

22 48.362 (4) (c) A county department that pays for court-ordered special
23 treatment or care under par. (a) may recover from the parent or adult expectant
24 mother, based on the ability of the parent or adult expectant mother to pay, a

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1 reasonable contribution toward the costs of the court-ordered special treatment or
2 care. This paragraph is subject to s. ~~46.03 (18)~~ 49.32 (1).

3 ***-1261/P3.365* SECTION 454.** 48.363 (1) (c) of the statutes is amended to read:

4 48.363 (1) (c) If the proposed revision is for a change in the amount of child
5 support to be paid by a parent, the court shall order the child's parent to provide a
6 statement of income, assets, debts and living expenses to the court and the person
7 or agency primarily responsible for implementing the dispositional order by a date
8 specified by the court. The clerk of court shall provide, without charge, to any parent
9 ordered to provide a statement of income, assets, debts, and living expenses a
10 document setting forth the percentage standard established by the department of
11 ~~workforce development~~ under s. 49.22 (9) and the manner of its application
12 established by the department of ~~health and family services~~ under s. ~~46.247~~ 49.345
13 (14) (g) and listing the factors that a court may consider under s. ~~46.10~~ 49.345 (14)
14 (c).

15 ***-1267/P1.90* SECTION 455.** ~~48.363 (1) (c) of the statutes is amended to read:~~

16 48.363 (1) (c) If the proposed revision is for a change in the amount of child
17 support to be paid by a parent, the court shall order the child's parent to provide a
18 statement of income, assets, debts and living expenses to the court and the person
19 or agency primarily responsible for implementing the dispositional order by a date
20 specified by the court. The clerk of court shall provide, without charge, to any parent
21 ordered to provide a statement of income, assets, debts and living expenses a
22 document setting forth the percentage standard established by the department of
23 ~~workforce development~~ children and families under s. 49.22 (9) and the manner of
24 its application established by the department of health and family services under s.
25 ~~46.247~~ and listing the factors that a court may consider under s. 46.10 (14) (c).

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

5 *-1261/P3.373* **SECTION 463.** 48.48 (4) of the statutes is created to read:

6 48.48 (4) In order to discharge more effectively its responsibilities under this
7 chapter and other relevant provisions of the statutes, to study causes and methods
8 of prevention and treatment of problems among children and families and related
9 social problems. The department may utilize all powers provided by the statutes,
10 including the authority to accept grants of money or property from federal, state, or
11 private sources, an enlist the cooperation of other appropriate agencies and state
12 departments.

13 *-1261/P3.374* **SECTION 464.** 48.48 (12) (a) of the statutes is amended to read:

14 48.48 (12) (a) To enter into an agreement to assist in the cost of care of a child
15 after legal adoption when the department has determined that such assistance is
16 necessary to assure the child's adoption. Agreements under this paragraph shall be
17 made in accordance with s. 48.975. Payments shall be made from the appropriation
18 under s. ~~20.435 (3)~~ 20.437 (1) (dd).

19 *-1261/P3.375* **SECTION 465.** 48.48 (17) (am) of the statutes is created to read:

20 48.48 (17) (am) The requirement of statewide uniformity with respect to the
21 organization and governance of human services does not apply to the administration
22 of child welfare services under par. (a).

23 *-1261/P3.376* **SECTION 466.** 48.48 (17) (c) (intro.) of the statutes is amended
24 to read:

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

4 ***-1261/P3.377*** SECTION 467. 48.48 (17) (c) 3. of the statutes is amended to
5 read:

6 48.48 (17) (c) 3. Received funding under s. 20.437 (1) (cx) or 48.569 (1) (d) or
7 under s. 20.435 (3) (cx), 2005 stats., or 46.495 (1) (d), 2005 stats., immediately prior
8 to his or her 18th birthday.

9 ***-1261/P3.378*** SECTION 468. 48.48 (17) (d) of the statutes is amended to read:

10 48.48 (17) (d) The funding provided for the maintenance of a child under par.
11 (c) shall be in an amount equal to that which the child would receive under s. ~~20.435~~
12 ~~(3)~~ 20.437 (1) (cx), (gx), (kw), and (mx) or ~~46.495~~ 48.569 (1) (d) if the child were 17
13 years of age.

14 ***-1261/P3.379*** SECTION 469. 48.48 (18) of the statutes is created to read:

15 48.48 (18) To contract with public or voluntary agencies or others for the
16 following purposes:

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

20 (b) To purchase or provide in full or in part the care and services that county
21 agencies may provide or purchase under any statute and to sell to county agencies
22 such portions of that care and those services as the county agency may desire to
23 purchase.

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

1 ***-1261/P3.383*** SECTION 473. 48.561 (3) (b) of the statutes is amended to read:

2 48.561 (3) (b) The department of administration shall collect the amount
3 specified in par. (a) 3. from a county having a population of 500,000 or more by
4 deducting all or part of that amount from any state payment due that county under
5 s. 79.03, 79.04, 79.058, 79.06, or 79.08. The department of administration shall
6 notify the department of revenue, by September 15 of each year, of the amount to be
7 deducted from the state payments due under s. 79.03, 79.04, 79.058, 79.06, or 79.08.
8 The department of administration shall credit all amounts collected under this
9 paragraph to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1) (kw) and shall
10 notify the county from which those amounts are collected of that collection. The
11 department may not expend any moneys from the appropriation account under s.
12 ~~20.435 (3)~~ 20.437 (1) (cx) for providing services to children and families under s. 48.48
13 (17) until the amounts in the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)
14 (kw) are exhausted.

15 ***-1261/P3.384*** SECTION 474. 48.563 of the statutes is created to read:

16 **48.563 Children and family aids funding.** (1) DISTRIBUTION LIMITS. (a)
17 Within the limits of available federal funds and of the appropriations under s. 20.437
18 (1) (b) and (o), the department shall distribute funds for children and family services
19 to county departments as provided in subs. (2), (3), and (7m) and s. 48.986.

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

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

3 **(2d) TRANSFER BETWEEN COUNTY ALLOCATIONS.** A county department may
4 transfer moneys distributed to that county department under this subsection to the
5 allocation of that county department under s. 46.40 (2). This subsection does not
6 apply after December 31, 2014.

7 ***-1261/P3.385* SECTION 475.** 48.565 of the statutes is created to read:

8 **48.565 Carry-over of children and family aids funds.** Funds allocated by
9 the department under s. 48.569 (1) (d) but not spent or encumbered by counties,
10 governing bodies of federally recognized American Indian tribes, or private nonprofit
11 organizations by December 31 of each year and funds recovered under s. 48.569 (2)
12 (b) and deposited into the appropriation account under s. 20.437 (1) (b) lapse to the
13 general fund on the succeeding January 1 unless carried forward to the next calendar
14 year under s. 20.437 (1) (b) or as follows:

15 **(3)** At the request of a county, tribal governing body, or private nonprofit
16 organization, the department shall carry forward up to 3 percent of the total amount
17 allocated to the county, tribal governing body, or nonprofit organization for a
18 calendar year. All funds carried forward for a tribal governing body or nonprofit
19 organization and all federal child welfare funds under 42 USC 620 to 626 carried
20 forward for a county shall be used for the purpose for which the funds were originally
21 allocated. Other funds carried forward under this subsection may be used for any
22 purpose under s. 20.437 (1) (b), except that a county may not use any funds carried
23 forward under this subsection for administrative or staff costs. An allocation of
24 carried-forward funding under this subsection does not affect a county's base
25 allocation under s. 48.563 (2).

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

6 ***-1261/P3.386*** **SECTION 476.** 48.567 of the statutes is created to read:

7 **48.567 Expenditure of income augmentation services receipts. (1)**

8 From the appropriation account under s. 20.437 (3) (mp), the department shall
9 support costs that are exclusively related to the ongoing and recurring operational
10 costs of augmenting the amount of moneys received under 42 USC 670 to 679a and
11 to any other purpose provided for by the legislature by law or in budget
12 determinations. In addition, the department may expend moneys from the
13 appropriation account under s. 20.437 (3) (mp) as provided in sub. (2).

14 **(2)** If the department proposes to use any moneys from the appropriation
15 account under s. 20.437 (3) (mp) or any moneys transferred to the department under
16 s. 46.46 (1m) for any purpose other than the purposes specified in sub. (1) or s. 46.46
17 (1m), the department shall submit a plan for the proposed use of those moneys to the
18 secretary of administration by September 1 of the fiscal year after the fiscal year in
19 which those moneys were received. If the secretary of administration approves the
20 plan, he or she shall submit the plan to the joint committee on finance by October 1
21 of the fiscal year after the fiscal year in which those moneys were received. If the
22 cochairpersons of the committee do not notify the secretary of administration within
23 14 working days after the date of submittal of the plan that the committee has
24 scheduled a meeting for the purpose of reviewing the plan, the department may
25 implement the plan. If within 14 working days after the date of the submittal by the

1 secretary of administration the cochairpersons of the committee notify him or her
2 that the committee has scheduled a meeting for the purpose of reviewing the plan,
3 the department may implement the plan only with the approval of the committee.

4 *-1261/P3.387* SECTION 477. 48.568 of the statutes is created to read:

5 **48.568 Allocation of federal funds for children and family aids and**
6 **child welfare.** Subject to s. 48.563 (1) (b) and (c), if the department receives
7 unanticipated federal foster care and adoption assistance payments under 42 USC
8 670 to 679a and it proposes to allocate the unanticipated funds so that an allocation
9 limit in s. 48.563 is exceeded, the department shall submit a plan for the proposed
10 allocation to the secretary of administration. If the secretary of administration
11 approves the plan, he or she shall submit it to the joint committee on finance. If the
12 cochairpersons of the committee do not notify the secretary of administration that
13 the committee has scheduled a meeting for the purpose of reviewing the plan within
14 14 working days after the date of his or her submittal, the department may
15 implement the plan, notwithstanding any allocation limits under s. ~~46.40~~ If within
16 14 working days after the date of the submittal by the secretary of administration
17 the cochairpersons of the committee notify him or her that the committee has
18 scheduled a meeting for the purpose of reviewing the plan, the department may
19 implement the plan, notwithstanding s. ~~46.40~~, only with the approval of the
20 committee.

21 *-1261/P3.388* SECTION 478. 48.569 of the statutes is created to read:

22 **48.569 Distribution of children and family aids funds to counties. (1)**
23 (am) The department shall reimburse each county from the appropriations under
24 s. 20.437 (1) (b) and (o) for children and family services as approved by the
25 department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

48.563
[scribble]

1 (d) From the appropriations under s. 20.437 (1) (b) and (o), the department shall
2 distribute the funding for children and family services, including funding for foster
3 care, treatment foster care, or subsidized guardianship care of a child on whose
4 behalf aid is received under s. 48.645 to county departments as provided under s.
5 48.563. County matching funds are required for the distribution under s. 48.563 (2).
6 Each county's required match for the distribution under s. 48.563 (2) shall be
7 specified in a schedule established annually by the department. Matching funds
8 may be from county tax levies, federal and state revenue sharing funds, or private
9 donations to the county that meet the requirements specified in sub. (1m). Private
10 donations may not exceed 25 percent of the total county match. If the county match
11 is less than the amount required to generate the full amount of state and federal
12 funds distributed for this period, the decrease in the amount of state and federal
13 funds equals the difference between the required and the actual amount of county
14 matching funds.

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

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

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

24 (1m) (a) A private donation to a county may be used to match the state
25 grant-in-aid under sub. (1) (d) only if the donation is both of the following:

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

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

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

11 (2) (a) The county treasurer and each director of a county department shall
12 monthly certify under oath to the department, in the manner the department
13 prescribes, the claim of the county for state reimbursement under this section, and
14 if the department approves the claim it shall certify to the department of
15 administration for reimbursement to the county for amounts due under this section
16 and payment claimed to be made to the counties monthly. The department may make
17 advance payments prior to the beginning of each month equal to one-twelfth of the
18 contracted amount.

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

1 ***-1261/P3.389* SECTION 479.** 48.57 (1) (g) of the statutes is amended to read:
2 48.57 (1) (g) Upon request of the department of health and family services or
3 the department of corrections, to provide service for any child or expectant mother
4 of an unborn child in the care of those departments.

5 ***-1261/P3.390* SECTION 480.** 48.57 (3) (a) 3. (intro.) of the statutes is amended
6 to read:

7 48.57 (3) (a) 3. (intro.) Received funding under s. 48.569 (1) (d) or under s.
8 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday; and

9 ***-1261/P3.391* SECTION 481.** 48.57 (3) (b) of the statutes is amended to read:
10 48.57 (3) (b) The funding provided for the maintenance of a child under par. (a)
11 shall be in an amount equal to that which the child would receive under s. ~~46.495~~
12 48.569 (1) (d) if the child were 17 years of age.

13 ***-1261/P3.392* SECTION 482.** 48.57 (3m) (am) (intro.) of the statutes is
14 amended to read:

15 48.57 (3m) (am) (intro.) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)
16 (kc), the department shall reimburse counties having populations of less than
17 500,000 for payments made under this subsection and shall make payments under
18 this subsection in a county having a population of 500,000 or more. A county
19 department and, in a county having a population of 500,000 or more, the department
20 shall make payments in the amount of \$215 per month to a kinship care relative who
21 is providing care and maintenance for a child if all of the following conditions are met:

22 ***-1261/P3.393* SECTION 483.** 48.57 (3n) (am) (intro.) of the statutes is
23 amended to read:

24 48.57 (3n) (am) (intro.) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)
25 (kc), the department shall reimburse counties having populations of less than

1 500,000 for payments made under this subsection and shall make payments under
2 this subsection in a county having a population of 500,000 or more. A county
3 department and, in a county having a population of 500,000 or more, the department
4 shall make monthly payments for each child in the amount specified in sub. (3m)
5 (am) (intro.) to a long-term kinship care relative who is providing care and
6 maintenance for that child if all of the following conditions are met:

7 ***-1261/P3.394* SECTION 484.** 48.57 (3p) (b) 1. of the statutes is amended to
8 read:

9 48.57 (3p) (b) 1. After receipt of an application for payments under sub. (3m)
10 or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a
11 population of 500,000 or more, the department of ~~health and family services~~, with
12 the assistance of the department of justice, shall conduct a background investigation
13 of the applicant.

14 ***-1261/P3.395* SECTION 485.** 48.57 (3p) (b) 2. of the statutes is amended to
15 read:

16 48.57 (3p) (b) 2. The county department or, in a county having a population of
17 500,000 or more, the department of ~~health and family services~~, with the assistance
18 of the department of justice, may conduct a background investigation of any person
19 who is receiving payments under sub. (3m) at the time of review under sub. (3m) (d)
20 or at any other time that the county department or department of ~~health and family~~
21 ~~services~~ considers to be appropriate.

22 ***-1261/P3.396* SECTION 486.** 48.57 (3p) (b) 3. of the statutes is amended to
23 read:

24 48.57 (3p) (b) 3. The county department or, in a county having a population of
25 500,000 or more, the department of ~~health and family services~~, with the assistance

1 of the department of justice, may conduct a background investigation of any person
2 who is receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) at any time that
3 the county department or department of health and family services considers to be
4 appropriate.

5 ***-1261/P3.397* SECTION 487.** 48.57 (3p) (c) 1. of the statutes is amended to
6 read:

7 48.57 (3p) (c) 1. After receipt of an application for payments under sub. (3m)
8 or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a
9 population of 500,000 or more, the department of health and family services, with
10 the assistance of the department of justice, shall, in addition to the investigation
11 under par. (b) 1., conduct a background investigation of all employees and
12 prospective employees of the applicant who have or would have regular contact with
13 the child for whom those payments are being made and of each adult resident.

14 ***-1261/P3.398* SECTION 488.** 48.57 (3p) (c) 2. of the statutes is amended to
15 read:

16 48.57 (3p) (c) 2. The county department or, in a county having a population of
17 500,000 or more, the department of health and family services, with the assistance
18 of the department of justice, may conduct a background investigation of any of the
19 employees or prospective employees of any person who is receiving payments under
20 sub. (3m) who have or would have regular contact with the child for whom those
21 payments are being made and of each adult resident at the time of review under sub.
22 (3m) (d) or at any other time that the county department or department of health and
23 family services considers to be appropriate.

24 ***-1261/P3.399* SECTION 489.** 48.57 (3p) (c) 2m. of the statutes is amended to
25 read:

1 48.57 (3p) (c) 2m. The county department or, in a county having a population
2 of 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. (3n) or s. 48.62 (5) (a) or (b) who have or would have regular contact with the child
6 for whom payments are being made and of each adult resident at any time that the
7 county department or department of ~~health and family services~~ considers to be
8 appropriate.

9 *-1261/P3.400* **SECTION 490.** 48.57 (3p) (c) 3. of the statutes is amended to
10 read:

11 48.57 (3p) (c) 3. Before a person who is receiving payments under sub. (3m) or
12 (3n) or s. 48.62 (5) (a) or (b) may employ any person in a position in which that person
13 would have regular contact with the child for whom those payments are being made
14 or permit any person to be an adult resident, the county department or, in a county
15 having a population of 500,000 or more, the department of ~~health and family~~
16 ~~services~~, with the assistance of the department of justice, shall conduct a background
17 investigation of the prospective employee or prospective adult resident unless that
18 person has already been investigated under subd. 1., 2. or 2m.

19 *-1261/P3.401* **SECTION 491.** 48.57 (3p) (d) of the statutes is amended to read:

20 48.57 (3p) (d) If the person being investigated under par. (b) or (c) is a
21 nonresident, or at any time within the 5 years preceding the date of the application
22 has been a nonresident, or if the county department or, in a county having a
23 population of 500,000 or more, the department of ~~health and family services~~
24 determines that the person's employment, licensing or state court records provide a
25 reasonable basis for further investigation, the county department or department of

1 ~~health and family services~~ shall require the person to be fingerprinted on 2
2 fingerprint cards, each bearing a complete set of the person's fingerprints. The
3 department of justice may provide for the submission of the fingerprint cards to the
4 federal bureau of investigation for the purposes of verifying the identity of the person
5 fingerprinted and obtaining records of his or her criminal arrest and conviction.

6 ***-1261/P3.402*** SECTION 492. 48.57 (3p) (e) (intro.) of the statutes is amended
7 to read:

8 48.57 (3p) (e) (intro.) Upon request, a person being investigated under par. (b)
9 or (c) shall provide the county department or, in a county having a population of
10 500,000 or more, the department of ~~health and family services~~ with all of the
11 following information:

12 ***-1261/P3.403*** SECTION 493. 48.57 (3p) (fm) 1. of the statutes is amended to
13 read:

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

1 indicating that the person's conviction record under the law of any other state or
2 under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

3 ***-1261/P3.404* SECTION 494.** 48.57 (3p) (fm) 1m. of the statutes is amended
4 to read:

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

1 subdivision determines is likely to adversely affect the child or the applicant's ability
2 to care for the child.

3 ***-1261/P3.405* SECTION 495.** 48.57 (3p) (fm) 2. of the statutes is amended to
4 read:

5 48.57 (3p) (fm) 2. A person receiving payments under sub. (3m) may
6 provisionally employ a person in a position in which that person would have regular
7 contact with the child for whom those payments are being made or provisionally
8 permit a person to be an adult resident if the person receiving those payments states
9 to the county department or, in a county having a population of 500,000 or more, the
10 department of ~~health and family services~~ that the employee or adult resident does
11 not have any arrests or convictions that could adversely affect the child or the ability
12 of the person receiving payments to care for the child. A person receiving payments
13 under sub. (3m) may not finally employ a person in a position in which that person
14 would have regular contact with the child for whom those payments are being made
15 or finally permit a person to be an adult resident until the county department or, in
16 a county having a population of 500,000 or more, the department of ~~health and family~~
17 ~~services~~ receives information from the department of justice indicating that the
18 person's conviction record under the law of this state is satisfactory according to the
19 criteria specified in par. (g) 1. to 3. and the county department or, in a county having
20 a population of 500,000 or more, the department of ~~health and family services~~ so
21 advises the person receiving payments under sub. (3m) or until a decision is made
22 under par. (h) 4. to permit a person who is receiving payments under sub. (3m) to
23 employ a person in a position in which that person would have regular contact with
24 the child for whom payments are being made or to permit a person to be an adult
25 resident and the county department or, in a county having a population of 500,000

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

10 ***-1261/P3.406* SECTION 496.** 48.57 (3p) (fm) 2m. of the statutes is amended
11 to read:

12 48.57 (3p) (fm) 2m. A person receiving payments under sub. (3n) or s. 48.62 (5)
13 (a) or (b) may provisionally employ a person in a position in which that person would
14 have regular contact with the child for whom those payments are being made or
15 provisionally permit a person to be an adult resident if the person receiving those
16 payments states to the county department or, in a county having a population of
17 500,000 or more, the department of health and family services that, to the best of his
18 or her knowledge, the employee or adult resident does not have any arrests or
19 convictions that could adversely affect the child or the ability of the person receiving
20 payments to care for the child. A person receiving payment under sub. (3n) or s. 48.62
21 (5) (a) or (b) may not finally employ a person in a position in which that person would
22 have regular contact with the child for whom those payments are being made or
23 finally permit a person to be an adult resident until the county department or, in a
24 county having a population of 500,000 or more, the department of health and family
25 services receives information from the department of justice relating to the person's

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

23 ***-1261/P3.407* SECTION 497.** 48.57 (3p) (g) (intro.) of the statutes is amended
24 to read:

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

8 *-1261/P3.408* SECTION 498. 48.57 (3p) (g) 3. of the statutes is amended to
9 read:

10 48.57 (3p) (g) 3. The person has been convicted of a violation of ch. 940, 944m
11 or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45, 948.63m or 948.70,
12 or of a violation of the law of any other state or federal law that would be a violation
13 of ch. 940, 944m or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45,
14 948.63m or 948.70, if committed in this state, except that a county department or,
15 in a county having a population of 500,000 or more, the department of health and
16 family services may make payments to a person applying for payments under sub.
17 (3m) and a person receiving payments under sub. (3m) may employ in a position in
18 which the person would have regular contact with the child for whom those payments
19 are being made or permit to be an adult resident a person who has been convicted
20 of a violation of s. 944.30, 944.31, or 944.33 or of a violation of the law of any other
21 state or federal law that would be a violation of s. 944.30, 944.31, or 944.33 if
22 committed in this state, if that violation occurred 20 years or more before the date
23 of the investigation.

24 *-1261/P3.409* SECTION 499. 48.57 (3p) (h) 2. of the statutes is amended to
25 read:

1 48.57 (3p) (h) 2. The request for review shall be filed with the director of the
2 county department or, in a county having a population of 500,000 or more, with the
3 person designated by the secretary of health and family services to receive requests
4 for review filed under this subdivision. If the governing body of a federally
5 recognized American Indian tribe or band has entered into an agreement under sub.
6 (3t) to administer the program under this subsection and sub. (3m), the request for
7 review shall be filed with the person designated by that governing body to receive
8 requests for review filed under this subdivision.

9 *-1261/P3.410* SECTION 500. 48.57 (3p) (h) 3. (intro.) of the statutes is
10 amended to read:

11 48.57 (3p) (h) 3. (intro.) The director of the county department, the person
12 designated by the governing body of a federally recognized American Indian tribe or
13 band or, in a county having a population of 500,000 or more, the person designated
14 by the secretary of health and family services shall review the denial of payments or
15 the prohibition on employment or being an adult resident to determine if the
16 conviction record on which the denial or prohibition is based includes any arrests,
17 convictions, or penalties that are likely to adversely affect the child or the ability of
18 the kinship care relative to care for the child. In reviewing the denial or prohibition,
19 the director of the county department, the person designated by the governing body
20 of the federally recognized American Indian tribe or band or the person designated
21 by the secretary of health and family services shall consider, but not be limited to,
22 all of the following factors:

23 *-1261/P3.411* SECTION 501. 48.57 (3p) (h) 4. of the statutes is amended to
24 read:

SECTION 501

1 48.57 **(3p)** (h) 4. If the director of the county department, the person designated
2 by the governing body of the federally recognized American Indian tribe or band or,
3 in a county having a population of 500,000 or more, the person designated by the
4 secretary of ~~health and family services~~ determines that the conviction record on
5 which the denial of payments or the prohibition on employment or being an adult
6 resident is based does not include any arrests, convictions, or penalties that are likely
7 to adversely affect the child or the ability of the kinship care relative to care for the
8 child, the director of the county department, the person designated by the governing
9 body of the federally recognized American Indian tribe or band, or the person
10 designated by the secretary of ~~health and family services~~ may approve the making
11 of payments under sub. (3m) or may permit a person receiving payments under sub.
12 (3m) to employ a person in a position in which that person would have regular contact
13 with the child for whom payments are being made or permit a person to be an adult
14 resident.

15 *-1261/P3.412* **SECTION 502.** 48.57 (3p) (i) of the statutes is amended to read:

16 48.57 **(3p)** (i) A county department and, in a county having a population of
17 500,000 or more, the department of ~~health and family services~~ shall keep
18 confidential all information received under this subsection from the department of
19 justice or the federal bureau of investigation. Such information is not subject to
20 inspection or copying under s. 19.35.

21 *-1261/P3.413* **SECTION 503.** 48.57 (3p) (j) of the statutes is amended to read:

22 48.57 **(3p)** (j) A county department or, in a county having a population of
23 500,000 or more, the department of ~~health and family services~~ may charge a fee for
24 conducting a background investigation under this subsection. The fee may not
25 exceed the reasonable cost of conducting the investigation.

1 *-1261/P3.414* SECTION 504. 48.576 of the statutes is created to read:

2 **48.576 Shelter care facilities; general supervision and inspection by**
3 **department. (1) GENERALLY.** The department shall investigate and supervise all
4 shelter care facilities and familiarize itself with all the circumstances affecting their
5 management and usefulness.

6 (2) INSPECTIONS. The department shall inquire into the methods of treatment,
7 instruction, government, and management of children placed in shelter care
8 facilities; the conduct of the trustees, managers, directors, superintendents, and
9 other officers and employees of those facilities; the condition of the buildings,
10 grounds, and all other property pertaining to those facilities; and all other matters
11 pertaining to the usefulness and management of those facilities; and recommend to
12 the officers in charge such changes and additional provisions as the department
13 considers proper.

14 (3) FREQUENCY OF INSPECTIONS. The department shall inspect and investigate
15 each shelter care facility at least annually and, when directed by the governor, the
16 department shall conduct a special investigation into a shelter care facility's
17 management, or anything connected with its management, and report to the
18 governor the testimony taken, the facts found, and conclusions drawn.

19 (4) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon request
20 of the department, the attorney general or the district attorney of the proper county
21 shall aid in any investigation, inspection, hearing, or trial had under the provisions
22 of this chapter relating to powers of the department, and shall institute and
23 prosecute all necessary actions or proceedings for the enforcement of those
24 provisions and for the punishment of violations of those provisions. The attorney

1 general or district attorney so requested shall report or confer with the department
2 regarding the request, within 30 days after the receipt of the request.

3 (5) OPPORTUNITY TO INSPECT. All trustees, managers, directors,
4 superintendents, and other officers or employees of a shelter care facility shall at all
5 times afford to every member of the department and its agents unrestrained facility
6 for inspection of and free access to all parts of the buildings and grounds and to all
7 books and papers of the shelter care facility, and shall give, either verbally or in
8 writing, such information as the department requires. Any person who violates this
9 subsection shall forfeit not less than \$10 nor more than \$100.

10 (6) TESTIMONIAL POWER; EXPENSES. The department or any person delegated by
11 the department may administer oaths, take testimony, and cause depositions to be
12 taken. All expenses of the investigations, including fees of officers and witnesses,
13 shall be charged to the appropriation for the department.

14 (7) STATISTICS TO BE FURNISHED. Whenever the department is required to collect
15 statistics, the person or agency shall furnish the required statistics on request.

16 *-1261/P3.415* SECTION 505. 48.578 of the statutes is created to read:

17 **48.578 Shelter care facilities; establishment, approval, inspection. (1)**

18 The department shall fix reasonable standards and regulations for the design,
19 construction, repair, and maintenance of shelter care facilities, with respect to their
20 adequacy and fitness for the needs that they are to serve.

21 (2) The selection and purchase of the site, and the plans, specifications, and
22 erection of buildings for shelter care facilities shall be subject to the review and
23 approval of the department. Department review shall include review of the proposed
24 program to be carried out by the shelter care facility.

1 (3) Before any shelter care facility is occupied, and at least annually thereafter,
2 the department shall inspect the shelter care facility, with respect to safety,
3 sanitation, adequacy, and fitness, and report to the authorities managing the shelter
4 care facility any deficiency found, and order the necessary work to correct that
5 deficiency. If within 6 months after the inspection the work is not commenced, or not
6 completed within a reasonable period after commencement of the work, to the
7 satisfaction of the department, the department shall suspend the allowance of state
8 aid for, and prohibit the use of the shelter care facility, until the order is complied
9 with.

10 ***-1261/P3.416*** SECTION 506. 48.60 (3) of the statutes is amended to read:

11 48.60 (3) Before issuing or continuing any license to a child welfare agency
12 under this section, the department of ~~health and family services~~ shall review the
13 need for the additional placement resources that would be made available by
14 licensing or continuing the license of any child welfare agency after August 5, 1973,
15 providing care authorized under s. 48.61 (3). Neither the department of ~~health and~~
16 ~~family services~~ nor the department of corrections may make any placements to any
17 child welfare agency where the departmental review required under this subsection
18 has failed to indicate the need for the additional placement resources.

19 ***-1261/P3.417*** SECTION 507. 48.62 (5) (d) of the statutes is amended to read:

20 48.62 (5) (d) The department shall request from the secretary of the federal
21 department of health and human services a waiver of the requirements under 42
22 USC 670 to 679a that would authorize the state to receive federal foster care and
23 adoption assistance reimbursement under 42 USC 670 to 679a for the costs of
24 providing care for a child who is in the care of a guardian who was licensed as the
25 child's foster parent or treatment foster parent before the guardianship appointment

1 and who has entered into a subsidized guardianship agreement with the county
2 department or department. If the waiver is approved for a county having a
3 population of 500,000 or more, the department shall provide the monthly payments
4 under par. (a) from the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cx), (gx), (kw),
5 and (mx). If the waiver is approved for any other county, the department shall
6 determine which counties are authorized to provide monthly payments under par.
7 (a) or (b), and the county departments of those counties shall provide those payments
8 from moneys received under s. ~~46.495~~ 48.569 (1) (d).

9 ***-1261/P3.418* SECTION 508.** 48.627 (2) (c) of the statutes is amended to read:

10 48.627 (2) (c) The department shall conduct a study to determine the
11 cost-effectiveness of purchasing insurance to provide standard homeowner's or
12 renter's liability insurance coverage for applicants who are granted a waiver under
13 par. (b). If the department determines that it would be cost-effective to purchase
14 such insurance, it may purchase the insurance from the appropriations under s.
15 ~~20.435 (3)~~ 20.437 (1) (cf) and (pd).

16 ***-1261/P3.419* SECTION 509.** 48.627 (2c) of the statutes is amended to read:

17 48.627 (2c) The department shall determine the cost-effectiveness of
18 purchasing private insurance that would provide coverage to foster, treatment foster,
19 and family-operated group home parents for acts or omissions by or affecting a child
20 who is placed in a foster home, a treatment foster home, or a family-operated group
21 home. If this private insurance is cost-effective and available, the department shall
22 purchase the insurance from the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cf)
23 and (pd). If the insurance is unavailable, payment of claims for acts or omissions by
24 or affecting a child who is placed in a foster home, a treatment foster home, or a
25 family-operated group home shall be in accordance with subs. (2m) to (3).

1 ***-1261/P3.420* SECTION 510.** 48.627 (2m) of the statutes is amended to read:
2 48.627 (2m) Within the limits of the appropriations under s. ~~20.435 (3)~~ 20.437
3 (1) (cf) and (pd), the department shall pay claims to the extent not covered by any
4 other insurance and subject to the limitations specified in sub. (3), for bodily injury
5 or property damage sustained by a licensed foster, treatment foster, or
6 family-operated group home parent or a member of the foster, treatment foster, or
7 family-operated group home parent's family as a result of the act of a child in the
8 foster, treatment foster, or family-operated group home parent's care.

9 ***-1261/P3.421* SECTION 511.** 48.627 (2s) (intro.) of the statutes is amended
10 to read:

11 48.627 (2s) (intro.) Within the limits of the appropriations under s. ~~20.435 (3)~~
12 20.437 (1) (cf) and (pd), the department may pay claims to the extent not covered by
13 any other insurance and subject to the limitations specified in sub. (3), for all of the
14 following:

15 ***-1261/P3.422* SECTION 512.** 48.627 (3) (f) of the statutes is amended to read:
16 48.627 (3) (f) If the total amount of the claims approved during any calendar
17 quarter exceeds 25% of the total funds available during the fiscal year for purposes
18 of this subsection plus any unencumbered funds remaining from the previous
19 quarter, the department shall prorate the available funds among the claimants with
20 approved claims. The department shall also prorate any unencumbered funds
21 remaining in the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (cf) at the end of each
22 fiscal year among the claimants whose claims were prorated during the fiscal year.
23 Payment of a prorated amount from unencumbered funds remaining at the end of
24 the fiscal year constitutes a complete payment of the claim for purposes of this

1 program, but does not prohibit a foster parent or treatment foster parent from
2 submitting a claim under s. 16.007 for the unpaid portion.

3 ***-1261/P3.423* SECTION 513.** 48.627 (4) of the statutes is amended to read:

4 48.627 (4) Except as provided in s. 895.485, the department is not liable for any
5 act or omission by or affecting a child who is placed in a foster home, treatment foster
6 home, or family-operated group home, but shall, as provided in this section, pay
7 claims described under sub. (2m) and may pay claims described under sub. (2s) or
8 may purchase insurance to cover such claims as provided for under sub. (2c), within
9 the limits of the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cf) and (pd).

10 ***-1261/P3.424* SECTION 514.** 48.63 (1) of the statutes is amended to read:

11 48.63 (1) Acting under court order or voluntary agreement, the child's parent
12 or guardian or the department of ~~health and family services~~, the department of
13 corrections, a county department, or a child welfare agency licensed to place children
14 in foster homes, treatment foster homes, or group homes may place a child or
15 negotiate or act as intermediary for the placement of a child in a foster home,
16 treatment foster home, or group home. Voluntary agreements under this subsection
17 may not be used for placements in facilities other than foster, treatment foster, or
18 group homes and may not be extended. A foster home or treatment foster home
19 placement under a voluntary agreement may not exceed 180 days from the date on
20 which the child was removed from the home under the voluntary agreement. A group
21 home placement under a voluntary agreement may not exceed 15 days from the date
22 on which the child was removed from the home under the voluntary agreement,
23 except as provided in sub. (5). These time limitations do not apply to placements
24 made under s. 48.345, 938.183, 938.34, or 938.345. Voluntary agreements may be
25 made only under this subsection and sub. (5) (b) and shall be in writing and shall

1 specifically state that the agreement may be terminated at any time by the parent
2 or guardian or by the child if the child's consent to the agreement is required. The
3 child's consent to the agreement is required whenever the child is 12 years of age or
4 older.

5 ***-1261/P3.425* SECTION 515.** 48.64 (1) of the statutes is amended to read:

6 48.64 (1) DEFINITION. In this section, "agency" means the department of health
7 and family services, the department of corrections, a county department, or a
8 licensed child welfare agency authorized to place children in foster homes, treatment
9 foster homes, or group homes.

10 ***-1267/P1.91* SECTION 516.** 48.651 (1) (intro.) of the statutes is amended to
11 read:

12 48.651 (1) (intro.) Each county department shall certify, according to the
13 standards adopted by the department of workforce development ~~children and~~
14 ~~families~~ under s. 49.155 (1d), each day care provider reimbursed for child care
15 services provided to families determined eligible under s. 49.155, unless the provider
16 is a day care center licensed under s. 48.65 or is established or contracted for under
17 s. 120.13 (14). Each county may charge a fee to cover the costs of certification. To
18 be certified under this section, a person must meet the minimum requirements for
19 certification established by the department of workforce development ~~children and~~
20 ~~families~~ under s. 49.155 (1d), meet the requirements specified in s. 48.685 and pay
21 the fee specified in this section. The county shall certify the following categories of
22 day care providers:

23 ***-1267/P1.92* SECTION 517.** 48.651 (1) (a) of the statutes is amended to read:

24 48.651 (1) (a) Level I certified family day care providers, as established by the
25 department of workforce development ~~children and families~~ under s. 49.155 (1d). No

1 county may certify a provider under this paragraph if the provider is a relative of all
2 of the children for whom he or she provides care.

3 ***-1267/P1.93* SECTION 518.** 48.651 (1) (b) of the statutes is amended to read:
4 48.651 (1) (b) Level II certified family day care providers, as established by the
5 department of ~~workforce development,~~ children and families under s. 49.155 (1d).

6 ***-1261/P3.426* SECTION 519.** 48.66 (1) (a) of the statutes is amended to read:
7 48.66 (1) (a) Except as provided in s. 48.715 (6) and (7), the department shall
8 license and supervise child welfare agencies, as required by s. 48.60, group homes,
9 as required by s. 48.625, shelter care facilities, as required by s. 938.22, and day care
10 centers, as required by s. 48.65. The department may license foster homes or
11 treatment foster homes, as provided by s. 48.62, and may license and supervise
12 county departments in accordance with the procedures specified in this section and
13 in ss. 48.67 to 48.74. In the discharge of this duty the department may inspect the
14 records and visit the premises of all child welfare agencies, group homes, shelter care
15 facilities, and day care centers and visit the premises of all foster homes and
16 treatment foster homes in which children are placed.

17 ***-1261/P3.427* SECTION 520.** 48.66 (2m) (a) 1. of the statutes is amended to
18 read:

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

1 individual to provide that department with the applicant's federal employer
2 identification number, when initially applying for or applying to continue the license.

3 ***-1261/P3.428* SECTION 521.** 48.66 (2m) (a) 2. of the statutes is amended to
4 read:

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

11 ***-1267/P1.94* SECTION 522.** 48.66 (2m) (a) 2. of the statutes is amended to
12 read:

13 ~~48.66 (2m) (a) 2. If an applicant who is an individual does not have a social
14 security number, the applicant shall submit a statement made or subscribed under
15 oath or affirmation to the department of health and family services that the
16 applicant does not have a social security number. The form of the statement shall
17 be prescribed by the department of workforce development children and families. A
18 license issued in reliance upon a false statement submitted under this subdivision
19 is invalid.~~

20 ***-1261/P3.429* SECTION 523.** 48.66 (2m) (am) 2. of the statutes is amended to
21 read:

22 48.66 (2m) (am) 2. If an applicant who is an individual does not have a social
23 security number, the applicant shall submit a statement made or subscribed under
24 oath or affirmation to the department of corrections that the applicant does not have
25 a social security number. The form of the statement shall be prescribed by the

1 department of ~~workforce development~~. A license issued in reliance upon a false
2 statement submitted under this subdivision is invalid.

3 ~~*-1267/P1.95* SECTION 524. 48.66 (2m) (am) 2. of the statutes is amended to~~
4 read:

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

11 ~~*-1261/P3.430* SECTION 525. 48.66 (2m) (b) of the statutes is amended to read:~~

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

21 ~~*-1261/P3.431* SECTION 526. 48.66 (2m) (c) of the statutes is amended to read:~~

22 48.66 (2m) (c) The subunit of the department of health and family services that
23 obtains a social security number or a federal employer identification number under
24 par. (a) 1. may not disclose any that information obtained under par. (a) 1. to any
25 person except to the department of revenue for the sole purpose of requesting

1 certifications under s. 73.0301 or on the request of the subunit of the department of
2 workforce development that administers the child and spousal support program
3 under s. 49.22 (2m).

4 ***-1267/P1.96* SECTION 527.** 48.66 (2m) (c) of the statutes is amended to read:
5 48.66 (2m) (c) The department of health and family services may not disclose
6 any information obtained under par. (a) 1. to any person except to the department
7 of revenue for the sole purpose of requesting certifications under s. 73.0301 or on the
8 request of the department of workforce development children and families under s.
9 49.22 (2m).

10 ***-1267/P1.97* SECTION 528.** 48.66 (2m) (cm) of the statutes is amended to
11 read:

12 48.66 (2m) (cm) The department of corrections may not disclose any
13 information obtained under par. (am) 1. to any person except on the request of the
14 department of workforce development children and families under s. 49.22 (2m).

15 ***-1261/P3.432* SECTION 529.** 48.675 (3) (intro.) of the statutes is amended to
16 read:

17 48.675 (3) SUPPORT SERVICES. (intro.) The department shall provide funds from
18 the appropriation under s. 20.435 (6) 20.437 (1) (a) to enable foster parents and
19 treatment foster parents to attend education programs approved under sub. (2) and
20 shall promulgate rules concerning disbursement of the funds. Moneys disbursed
21 under this subsection may be used for the following purposes:

22 ***-1261/P3.433* SECTION 530.** 48.685 (5c) (a) of the statutes is amended to
23 read:

24 48.685 (5c) (a) Any person who is permitted but fails under sub. (5) (a) to
25 demonstrate to the department or a child welfare agency that he or she has been

1 rehabilitated may appeal to the secretary of ~~health and family services~~ or his or her
2 designee. Any person who is adversely affected by a decision of the secretary or his
3 or her designee under this paragraph has a right to a contested case hearing under
4 ch. 227.

5 ~~*-1261/P3.434*~~ SECTION 531. 48.715 (6) of the statutes is amended to read:

6 48.715 (6) The department of ~~health and family services~~ shall deny, suspend,
7 restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1) (a) or a
8 probationary license under s. 48.69 to operate a child welfare agency, group home,
9 shelter care facility, or day care center, and the department of corrections shall deny,
10 suspend, restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1)
11 (b) to operate a secured residential care center for children and youth, for failure of
12 the applicant or licensee to pay court-ordered payments of child or family support,
13 maintenance, birth expenses, medical expenses, or other expenses related to the
14 support of a child or former spouse or for failure of the applicant or licensee to comply,
15 after appropriate notice, with a subpoena or warrant issued by the department of
16 ~~workforce development~~ or a county child support agency under s. 59.53 (5) and
17 related to paternity or child support proceedings, as provided in a memorandum of
18 understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action
19 taken under this subsection is subject to review only as provided in the memorandum
20 of understanding entered into under s. 49.857 and not as provided in s. 48.72.

21 ~~*-1267/P1.98*~~ SECTION 532. 48.715 (6) of the statutes is amended to read:

22 48.715 (6) The department of ~~health and family services~~ shall deny, suspend,
23 restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1) (a) or a
24 probationary license under s. 48.69 to operate a child welfare agency, group home,
25 shelter care facility, or day care center, and the department of corrections shall deny,

1 suspend, restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1)
2 (b) to operate a secured residential care center for children and youth, for failure of
3 the applicant or licensee to pay court-ordered payments of child or family support,
4 maintenance, birth expenses, medical expenses, or other expenses related to the
5 support of a child or former spouse or for failure of the applicant or licensee to comply,
6 after appropriate notice, with a subpoena or warrant issued by the department of
7 ~~workforce development children and families~~ or a county child support agency under
8 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
9 memorandum of understanding entered into under s. 49.857. Notwithstanding s.
10 48.72, an action taken under this subsection is subject to review only as provided in
11 the memorandum of understanding entered into under s. 49.857 and not as provided
12 in s. 48.72.

13 *-1261/P3.435* SECTION 533. 48.743 of the statutes is created to read:

14 **48.743 Community living arrangements for children.** (1) In this section,
15 “community living arrangement for children” means a residential care center for
16 children and youth or a group home.

17 (2) Community living arrangements for children shall be subject to the same
18 building and housing ordinances, codes, and regulations of the municipality or
19 county as similar residences located in the area in which the facility is located.

20 (3) The department shall designate a subunit to keep records and supply
21 information on community living arrangements for children under ss. 59.69 (15) (f),
22 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving all
23 complaints regarding community living arrangements for children and for
24 coordinating all necessary investigatory and disciplinary actions under the laws of

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1 this state and under the rules of the department relating to the licensing of
2 community living arrangements for children.

3 (4) A community living arrangement for children with a capacity for 8 or fewer
4 persons shall be a permissible use for purposes of any deed covenant which limits use
5 of property to single-family or 2-family residences. A community living
6 arrangement for children with a capacity for 15 or fewer persons shall be a
7 permissible use for purposes of any deed covenant which limits use of property to
8 more than 2-family residences. Covenants in deeds which expressly prohibit use of
9 property for community living arrangements for children are void as against public
10 policy.

11 (5) If a community living arrangement for children is required to obtain special
12 zoning permission, as defined in s. 59.69 (15) (g), the department shall, at the request
13 of the unit of government responsible for granting the special zoning permission,
14 inspect the proposed facility and review the program proposed for the facility. After
15 such inspection and review, the department shall transmit to the unit of government
16 responsible for granting the special zoning permission a statement that the proposed
17 facility and its proposed program have been examined and are either approved or
18 disapproved by the department.

19 ***-1261/P3.436* SECTION 534.** 48.745 (5) of the statutes is amended to read:

20 48.745 (5) If the county department designates the department to receive
21 formal complaints, the subunit under s. ~~46.03 (22) (e)~~ 48.743 (3) shall receive the
22 complaints and the department shall have all the powers and duties granted to the
23 county department in this section.

24 ***-1261/P3.437* SECTION 535.** 48.78 (2) (h) of the statutes is amended to read:

1 48.78 (2) (h) Paragraph (a) does not prohibit the department, a county
2 department, or a licensed child welfare agency from entering the content of any
3 record kept or information received by the department, county department, or
4 licensed child welfare agency into the statewide automated child welfare
5 information system established under s. ~~46.03 48.47~~ (7g).

6 ***-1261/P3.438* SECTION 536.** 48.839 (1) (d) of the statutes is amended to read:

7 48.839 (1) (d) If custody of the child is transferred under sub. (4) (b) to a county
8 department or child welfare agency before the child is adopted, the department shall
9 periodically bill the guardian and the surety under s. ~~46.03 (18) (b) or 46.10 49.32 (1)~~
10 ~~(b) or 49.345~~ for the cost of care and maintenance of the child until the child is adopted
11 or becomes age 18, whichever is earlier. The guardian and surety shall also be liable
12 under the bond for costs incurred by the department in enforcing the bond against
13 the guardian and surety.

14 ***-1261/P3.439* SECTION 537.** 48.839 (1) (e) of the statutes is amended to read:

15 48.839 (1) (e) This section does not preclude the department or any other
16 agency given custody of a child under sub. (4) (b) from collecting under s. ~~46.03 (18)~~
17 ~~(b) or 46.10 49.32 (1) (b) or 49.345~~ from the former guardian for costs in excess of the
18 amount recovered under the bond incurred in enforcing the bond and providing care
19 and maintenance for the child until he or she reaches age 18 or is adopted.

20 ***-1261/P3.440* SECTION 538.** 48.93 (1d) of the statutes is amended to read:

21 48.93 (1d) All records and papers pertaining to an adoption proceeding shall
22 be kept in a separate locked file and may not be disclosed except under sub. (1g) or
23 (1r), s. ~~46.03 (29)~~, 48.432, 48.433, 48.434, 48.48 (17) (a) 9. or 48.57 (1) (j), or by order
24 of the court for good cause shown.

25 ***-1261/P3.441* SECTION 539.** 48.98 (2) (d) of the statutes is amended to read:

1 48.98 (2) (d) The department shall periodically bill the person who filed the
2 bond and the surety under s. ~~46.03 (18) (b)~~ or ~~46.10~~ 49.32 (1) (b) or 49.345 for the cost
3 of care and maintenance of the child until the child is adopted or becomes age 18,
4 whichever is earlier. The guardian and surety shall also be liable under the bond for
5 costs incurred by the department in enforcing the bond.

6 ***-1261/P3.442*** SECTION 540. 48.981 (7) (dm) of the statutes is amended to
7 read:

8 48.981 (7) (dm) Notwithstanding par. (a), an agency may enter the content of
9 any report or record maintained by the agency into the statewide automated child
10 welfare information system established under s. ~~46.03~~ 48.47 (7g).

11 ***-1261/P3.443*** SECTION 541. 48.981 (8) (a) of the statutes is amended to read:

12 48.981 (8) (a) The department, the county departments, and a licensed child
13 welfare agency under contract with the department in a county having a population
14 of 500,000 or more to the extent feasible shall conduct continuing education and
15 training programs for staff of the department, the county departments, licensed
16 child welfare agencies under contract with the department or a county department,
17 law enforcement agencies, and the tribal social services departments, persons and
18 officials required to report, the general public, and others as appropriate. The
19 programs shall be designed to encourage reporting of child abuse and neglect and of
20 unborn child abuse, to encourage self-reporting and voluntary acceptance of services
21 and to improve communication, cooperation, and coordination in the identification,
22 prevention, and treatment of child abuse and neglect and of unborn child abuse.
23 Programs provided for staff of the department, county departments, and licensed
24 child welfare agencies under contract with county departments or the department
25 whose responsibilities include the investigation or treatment of child abuse or

1 neglect shall also be designed to provide information on means of recognizing and
2 appropriately responding to domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a). The
3 department, the county departments, and a licensed child welfare agency under
4 contract with the department in a county having a population of 500,000 or more
5 shall develop public information programs about child abuse and neglect and about
6 unborn child abuse.

7 ***-1261/P3.444* SECTION 542.** 48.981 (8) (d) 1. of the statutes is amended to
8 read:

9 48.981 (8) (d) 1. Each agency staff member and supervisor whose
10 responsibilities include investigation or treatment of child abuse and neglect or of
11 unborn child abuse shall successfully complete training in child abuse and neglect
12 protective services and in unborn child abuse protective services approved by the
13 department. The training shall include information on means of recognizing and
14 appropriately responding to domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a). The
15 department shall monitor compliance with this subdivision according to rules
16 promulgated by the department.

17 ***-1261/P3.445* SECTION 543.** 48.982 (2) (g) (intro.) of the statutes is amended
18 to read:

19 48.982 (2) (g) (intro.) In coordination with the ~~departments of health and family~~
20 ~~services and~~ department and the department of public instruction:

21 ***-1261/P3.446* SECTION 544.** 48.985 (1) of the statutes is amended to read:

22 48.985 (1) FEDERAL PROGRAM OPERATIONS. From the appropriation under s.
23 ~~20.435(3)~~ 20.437(1) (n), the department shall expend not more than \$273,700 in each
24 fiscal year of the moneys received under 42 USC 620 to 626 for the department's
25 expenses in connection with administering the expenditure of funds received under

1 42 USC 620 to 626 and for child abuse and neglect and unborn child abuse
2 independent investigations.

3 ***-1261/P3.447* SECTION 545.** 48.985 (2) of the statutes is amended to read:

4 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
5 appropriation under s. ~~20.435 (7)~~ 20.437 (1) (o), the department shall distribute not
6 more than \$3,809,600 in each fiscal year of the moneys received under 42 USC 620
7 to 626 to county departments ~~under ss. 46.215, 46.22, and 46.23~~ for the provision or
8 purchase of child welfare projects and services, for services to children and families,
9 for services to the expectant mothers of unborn children, and for family-based child
10 welfare services.

11 ***-1261/P3.448* SECTION 546.** 48.985 (4) of the statutes is amended to read:

12 48.985 (4) RUNAWAY SERVICES. From the appropriation under s. ~~20.435 (3)~~
13 20.437 (1) (na) for runaway services, not more than \$458,600 in each fiscal year.

14 ***-1261/P3.449* SECTION 547.** 48.985 (5) of the statutes is repealed.

15 ***-1261/P3.450* SECTION 548.** 48.989 (1) (a) of the statutes is amended to read:

16 48.989 (1) (a) "Appropriate authority in the receiving state" means the
17 department of health ~~and family services~~.

18 ***-1261/P3.451* SECTION 549.** 48.989 (1) (b) of the statutes is amended to read:

19 48.989 (1) (b) "Appropriate public authorities" means the department of health
20 and family services, which shall receive and act with reference to notices required
21 by s. 48.988 (3).

22 ***-1267/P1.99* SECTION 550.** Chapter 49 (title) of the statutes is amended to
23 read:

24

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