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1           **SECTION 172.** 46.03 (4) (b) of the statutes is amended to read:

2           46.03 (4) (b) In order to discharge more effectively its responsibilities under  
3 this chapter ~~and ch. 48~~ and other relevant provisions of the statutes, be authorized  
4 to study causes and methods of prevention and treatment of mental illness, mental  
5 deficiency, mental infirmity, and related social problems, including establishment of  
6 demonstration projects to apply and evaluate such methods in actual cases. The  
7 department is directed and authorized to utilize all powers provided by the statutes,  
8 including the authority under sub. (2a), to accept grants of money or property from  
9 federal, state, or private sources, and to enlist the cooperation of other appropriate  
10 agencies and state departments. The department may enter into agreements with  
11 local government subdivisions, departments, and agencies for the joint conduct of  
12 these projects, and it may purchase services when deemed considered appropriate.

13           **SECTION 173.** 46.03 (7) (a) of the statutes is amended to read:

14           46.03 (7) (a) Promote the enforcement of laws for the protection of  
15 developmentally disabled children, ~~children and unborn children in need of~~  
16 ~~protection or services and nonmarital children~~; and to this end cooperate with courts  
17 assigned to exercise jurisdiction under chs. 48 and 938, licensed child welfare  
18 agencies, and public and private institutions and take the initiative in all matters  
19 involving the interests of those children ~~and unborn children~~ when adequate  
20 provision for those interests has not already been made, including the establishment  
21 and enforcement of standards for services provided under ss. 48.345 and 48.347.

22           **SECTION 174.** 46.03 (7) (bm) of the statutes is amended to read:

23           46.03 (7) (bm) Maintain a file containing records of artificial inseminations  
24 under s. 891.40, ~~declarations of paternal interest under s. 48.025~~, and statements  
25 acknowledging paternity under s. 69.15 (3) (b). The department may release those

1 records, ~~declarations~~, and statements only upon an order of the court except that the  
2 department may use nonidentifying information concerning artificial inseminations  
3 for the purpose of compiling statistics, ~~declarations of paternal interest shall be~~  
4 ~~released as provided in s. 48.025 (3) (b) and (e)~~, and statements acknowledging  
5 paternity shall be released without a court order to the department of workforce  
6 development children and families or a county child support agency under s. 59.53  
7 (5) upon the request of that department or county child support agency pursuant to  
8 the program responsibilities under s. 49.22 or to any other person with a direct and  
9 tangible interest in the statement.

10 **SECTION 175.** 46.03 (7) (c) of the statutes is repealed.

11 **SECTION 176.** 46.03 (7) (cm) of the statutes is renumbered 48.47 (7) (cm).

12 **SECTION 177.** 46.03 (7) (d) of the statutes is renumbered 48.47 (7) (d).

13 **SECTION 178.** 46.03 (7) (e) of the statutes is repealed.

14 **SECTION 179.** 46.03 (7) (f) of the statutes is renumbered 48.47 (7) (f).

15 **SECTION 180.** 46.03 (7) (h) of the statutes is renumbered 48.47 (7) (h).

16 **SECTION 181.** 46.03 (7g) of the statutes is renumbered 48.47 (7g) and amended  
17 to read:

18 **48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM.** Establish  
19 a statewide automated child welfare information system. Notwithstanding ss.  
20 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,  
21 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396~~  
22 ~~(1) and (2) (a)~~ 938.396 (1) and (2), and 938.78 (2) (a), the department may enter the  
23 content of any record kept or information received by the department into the  
24 statewide automated child welfare information system, and a county department  
25 under s. 46.215, 46.22, or 46.23, the department, or any other organization that has

1 entered into an information sharing and access agreement with the department or  
2 any of those county departments and that has been approved for access to the  
3 statewide automated child welfare information system by the department may have  
4 access to information that is maintained in that system, if necessary to enable the  
5 county department, department, or organization to perform its duties under this  
6 chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b to or to coordinate the  
7 delivery of services under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to  
8 679b.

9 **SECTION 182.** 46.03 (7m) of the statutes is renumbered 48.62 (7) and amended  
10 to read:

11 48.62 (7) ~~FOSTER CARE.~~ In each federal fiscal year, the department shall ensure  
12 that there are no more than 2,200 children in foster care and treatment foster care  
13 placements for more than 24 months, consistent with the best interests of each child.  
14 Services provided in connection with this requirement shall comply with the  
15 requirements under P.L. 96-272.

16 **SECTION 183.** 46.03 (18) (a) of the statutes, as affected by 2007 Wisconsin Act  
17 ... (this act), is amended to read:

18 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of  
19 ~~health and family services~~ shall establish a uniform system of fees for services  
20 provided or purchased by the department of ~~health and family services~~, or a county  
21 department under s. 46.215, 46.22, 51.42, or 51.437, except for services provided  
22 under ch. 48 and subch. III of ch. 49; ~~services relating to adoption~~; services provided  
23 to courts; outreach, information and referral services; or ~~where~~ when, as determined  
24 by the department of ~~health and family services~~, a fee is administratively unfeasible  
25 or would significantly prevent accomplishing the purpose of the service. A county

1 department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees ~~which that~~  
2 it collects under this program to cover the cost of such those services.

\*\*\*\*NOTE: This is reconciled s. 46.03 (18) (a). This SECTION has been affected by  
drafts with the following LRB numbers: -0242 and -1261.

3 **SECTION 184.** 46.03 (18) (am) of the statutes is amended to read:

4 46.03 (18) (am) ~~Paragraph (a) does not prevent the department from charging~~  
5 ~~and collecting the cost of adoptive placement investigations and child care as~~  
6 ~~authorized under s. 48.837 (7).~~ Paragraph (a) also does not prevent a county  
7 department under s. 51.42 or 51.437 from charging and collecting the cost of an  
8 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

9 **SECTION 185.** 46.03 (20) (a) of the statutes is amended to read:

10 46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,  
11 the department may make payments directly to recipients of public assistance or to  
12 such persons authorized to receive such payments in accordance with law and rules  
13 of the department on behalf of the counties. Except for payments provided under ch.  
14 48 or subch. III of ch. 49, the department may charge the counties for the cost of  
15 operating public assistance systems which make such payments.

16 **SECTION 186.** 46.03 (22) (title) of the statutes is amended to read:

17 46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

18 **SECTION 187.** 46.03 (22) (a) of the statutes is amended to read:

19 46.03 (22) (a) ~~“Community~~ In this subsection, “community living arrangement  
20 for adults” means any of the following facilities licensed or operated, or permitted  
21 under the authority of the department: residential care centers for children and  
22 youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under  
23 s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based

1 ~~residential facilities a community-based residential facility, as defined in s. 50.01~~  
2 ~~(1g); but does not include adult family homes, as defined in s. 50.01 (1), day care~~  
3 ~~centers, nursing homes, general hospitals, special hospitals, prisons, and jails.~~

4 **SECTION 188.** 46.03 (22) (b) of the statutes is amended to read:

5 46.03 (22) (b) Community living arrangements for adults shall be subject to the  
6 same building and housing ordinances, codes, and regulations of the municipality or  
7 county as similar residences located in the area in which the facility is located.

8 **SECTION 189.** 46.03 (22) (c) of the statutes is amended to read:

9 46.03 (22) (c) The department shall designate a subunit to keep records and  
10 supply information on community living arrangements for adults under ss. 59.69  
11 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving  
12 all complaints regarding community living arrangements for adults and for  
13 coordinating all necessary investigatory and disciplinary actions under the laws of  
14 this state and under the rules of the department relating to the licensing of  
15 community living arrangements for adults.

16 **SECTION 190.** 46.03 (22) (d) of the statutes is amended to read:

17 46.03 (22) (d) A community living arrangement for adults with a capacity for  
18 8 or fewer persons shall be a permissible use for purposes of any deed covenant which  
19 limits use of property to single-family or 2-family residences. A community living  
20 arrangement for adults with a capacity for 15 or fewer persons shall be a permissible  
21 use for purposes of any deed covenant which limits use of property to more than  
22 2-family residences. Covenants in deeds which expressly prohibit use of property  
23 for community living arrangements for adults are void as against public policy.

24 **SECTION 191.** 46.03 (22) (e) of the statutes is amended to read:

1           46.03 (22) (e) If a community living arrangement for adults is required to  
2 obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall,  
3 at the request of the unit of government responsible for granting the special zoning  
4 permission, inspect the proposed facility and review the program proposed for the  
5 facility. After such inspection and review, the department shall transmit to the unit  
6 of government responsible for granting the special zoning permission a statement  
7 that the proposed facility and its proposed program have been examined and are  
8 either approved or disapproved by the department.

9           **SECTION 192.** 46.03 (29) of the statutes is repealed.

10          **SECTION 193.** 46.03 (39) of the statutes is renumbered 48.47 (39).

11          **SECTION 194.** 46.031 (3) (a) of the statutes is amended to read:

12           46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the  
13 county board of supervisors of each county or the county boards of supervisors of 2  
14 or more counties jointly shall establish a citizen advisory committee to the county  
15 departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory  
16 committee shall advise in the formulation of the budget under sub. (1). Membership  
17 on the committee shall be determined by the county board of supervisors in a county  
18 with a single-county committee or by the county boards of supervisors in counties  
19 with a multicounty committee and shall include representatives of those persons  
20 receiving services, providers of service and citizens. A majority of the members of the  
21 committee shall be citizen and service consumers. ~~At least one member of the~~  
22 ~~committee shall be chosen from the governing or administrative board of the~~  
23 ~~community action agency serving the county or counties under s. 46.30, if any.~~ The  
24 committee's membership may not consist of more than 25% county supervisors, nor  
25 of more than 20% service providers. The chairperson of the committee shall be

1 appointed by the county board of supervisors establishing it. In the case of a  
2 multicounty committee, the chairperson shall be nominated by the committee and  
3 approved by the county boards of supervisors establishing it. The county board of  
4 supervisors in a county with a single-county committee or the county boards of  
5 supervisors in counties with a multicounty committee may designate an agent to  
6 determine the membership of the committee and to appoint the committee  
7 chairperson or approve the nominee.

8 **SECTION 195.** 46.034 (1) of the statutes is amended to read:

9 46.034 (1) The department, in order to discharge more effectively its  
10 responsibilities under this chapter and chs. 48, 51, 250, and 251 and other relevant  
11 provisions of the statutes, may establish community human services pilot programs  
12 for the study, implementation, and evaluation of improved human services delivery  
13 systems. In the implementation of such those pilot programs, the requirement of  
14 statewide uniformity with respect to the organization and governance of human  
15 services shall not apply. The department and local governmental bodies may  
16 establish such departments, boards, committees, organizational structures, and  
17 procedures as may be needed to implement the pilot programs. The departments,  
18 boards, committees, and organizational structures may assume responsibilities  
19 currently assigned by statute to the departments, boards, committees, or  
20 organizational structures that are replaced.

21 **SECTION 196.** 46.036 (1) of the statutes is amended to read:

22 46.036 (1) All care and services purchased by the department or by a county  
23 department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, except as provided under  
24 subch. III of ch. 49 and s. 301.08 (2), shall be authorized and contracted for under the  
25 standards established under this section. The department may require the county

1 departments to submit the contracts to the department for review and approval. For  
2 purchases of \$10,000 or less the requirement for a written contract may be waived  
3 by the department. ~~No contract is required for care provided by foster homes or~~  
4 ~~treatment foster homes that are required to be licensed under s. 48.62.~~ When the  
5 department directly contracts for services, it shall follow the procedures in this  
6 section in addition to meeting purchasing requirements established in s. 16.75.

7 **SECTION 197.** 46.036 (4) (a) of the statutes is amended to read:

8 46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double  
9 entry accounting system and a management information system which are  
10 compatible with cost accounting and control systems prescribed by the department.  
11 ~~The department shall establish a simplified double entry bookkeeping system for use~~  
12 ~~by family-operated group homes. Each purchaser shall determine whether a~~  
13 ~~family-operated group home from which it purchases services shall use the double~~  
14 ~~entry accounting system or the simplified system and shall include this~~  
15 ~~determination in the purchase of service contract. In this paragraph,~~  
16 ~~“family-operated group home” means a group home licensed under s. 48.66 (1) (a) for~~  
17 ~~which the licensee is one or more individuals who operate not more than one group~~  
18 ~~home.~~

19 **SECTION 198.** 46.036 (4) (c) of the statutes, as affected by 2007 Wisconsin Act  
20 .... (this act), is amended to read:

21 46.036 (4) (c) Unless waived by the department, biennially, or annually if  
22 required under federal law, provide the purchaser with a certified financial and  
23 compliance audit report if the care and services purchased exceed \$100,000 or any  
24 higher threshold amount determined by the department. The audit shall follow  
25 standards that the department prescribes. ~~A purchaser may waive the requirements~~



1 of this paragraph for any family-operated group home, as defined under par. (a),  
2 from which it purchases services.

\*\*\*NOTE: This is reconciled s. 41.036 (4) (c). This SECTION has been affected by  
drafts with the following LRB numbers: -0243 and -1261.

3 SECTION 199. 46.037 of the statutes is renumbered 49.343 and amended to  
4 read:

5 **49.343 Rates for residential child care centers and group homes. (1)**

6 Subject to sub. (1m), each residential child care center for children and youth, as  
7 defined in s. 48.02 (15d), and each group home, as defined in s. 48.02 (7), that is  
8 ~~licensed under s. 48.625~~ and incorporated under ch. 180, 181, 185, or 193 shall  
9 establish a per client rate for its services and shall charge all purchasers the same  
10 rate.

11 (1m) Notwithstanding sub. (1), the department, a county department under  
12 s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the  
13 department and one or more of those county departments, and a residential child  
14 care center for children and youth or group home, as described in sub. (1), may  
15 negotiate a per client rate for the services of that residential child care center for  
16 children and youth or group home, if the department, that county department, the  
17 county departments in that group of county departments, or the department and one  
18 or more of those county departments, agree to place 75% or more of the residents of  
19 that residential child care center for children and youth or group home during the  
20 period for which that rate is effective. A residential child care center for children and  
21 youth or group home that negotiates a per client rate under this subsection shall  
22 charge that rate to all purchasers of its services.

1           (2) A residential ~~child~~ care center for children and youth or a group home, as  
2 described in sub. (1) or (1m), shall submit to the department the rate it charges and  
3 any change in that rate before a charge is made to any purchaser. The department  
4 shall provide forms and instructions for the submission of rates and changes in rates  
5 under this subsection and a residential ~~child~~ care center for children and youth or  
6 a group home that is required to submit a rate or a change in a rate under this  
7 subsection shall submit that rate or change in a rate using those forms and  
8 instructions.

9           (3) The department may require an audit of any residential ~~child~~ care center  
10 for children and youth or group home, as described in sub. (1) or (1m), for the purpose  
11 of collecting federal funds.

12           **SECTION 200.** 46.043 (1) of the statutes is amended to read:

13           46.043 (1) In addition to inpatient and outpatient services provided at mental  
14 health institutes under ss. 51.05 and 51.07, the department may authorize mental  
15 health institutes to offer services other than inpatient mental health services when  
16 the department determines that community services need to be supplemented.  
17 Services that may be offered under this section include mental health outpatient  
18 treatment and services, day programming, consultation and services in residential  
19 facilities, including group homes, ~~child-caring institutions~~ residential care centers  
20 for children and youth and community-based residential facilities.

21           **SECTION 201.** 46.10 (14) (b) of the statutes is amended to read:

22           46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability  
23 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the  
24 parent's minor child who has been placed by a court order under s. 48.355 or 48.357  
25 in a residential, nonmedical facility such as a group home, foster home, treatment

1 foster home, subsidized guardianship home, or residential care center for children  
2 and youth shall be determined by the court by using the percentage standard  
3 established by the department of ~~workforce development~~ children and families  
4 under s. 49.22 (9) and by applying the percentage standard in the manner  
5 established by the department under ~~s. 46.247~~ par. (g).

6 **SECTION 202.** 46.10 (14) (g) of the statutes is created to read:

7 46.10 (14) (g) For purposes of determining child support under par. (b), the  
8 department shall promulgate rules related to the application of the standard  
9 established by the department of children and families under s. 49.22 (9) to a child  
10 support obligation for the care and maintenance of a child who is placed by a court  
11 order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall  
12 take into account the needs of any person, including dependent children other than  
13 the child, whom either parent is legally obligated to support.

14 **SECTION 203.** 46.16 (1) of the statutes is amended to read:

15 46.16 (1) **GENERALLY.** The department shall investigate and supervise all the  
16 charitable and curative institutions, including county infirmaries, of every county  
17 and municipality, except tuberculosis sanatoriums; ~~all shelter care facilities for~~  
18 ~~children and, and~~ and all hospitals, asylums, and institutions, organized for the purpose  
19 set forth in s. 58.01, and familiarize itself with all the circumstances affecting their  
20 management and usefulness.

21 **SECTION 204.** 46.16 (2) of the statutes is repealed.

22 **SECTION 205.** 46.16 (2m) of the statutes is repealed.

23 **SECTION 206.** 46.16 (2s) of the statutes is repealed.

24 **SECTION 207.** 46.16 (3) of the statutes is amended to read:

1           46.16 (3) COUNTY HOMES, POOR RELIEF. ~~It~~ The department shall visit the county  
2 homes and ascertain the number of each sex and the number of mentally ill, mentally  
3 deficient, deaf, or blind persons, ~~and children~~ supported in each, at what cost and  
4 under what circumstances affecting their health, comfort, morals, and education;  
5 collect statistics of the cost of support, and other important facts, of the poor relieved  
6 at public expense outside of county homes; and collect information as to the adequacy  
7 and efficiency of existing laws for the support and relief of the poor, and the causes  
8 of pauperism in the state.

9           **SECTION 208.** 46.16 (7) of the statutes is amended to read:

10           46.16 (7) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon  
11 request of the department, the attorney general or the district attorney of the proper  
12 county shall aid in any investigation, inspection, hearing, or trial had under the  
13 provisions of this chapter, ~~or those sections of ch. 48~~ relating to powers of the  
14 department, and shall institute and prosecute all necessary actions or proceedings  
15 for the enforcement of ~~such~~ those provisions and for the punishment of violations of  
16 ~~the same~~ those provisions. The attorney general or district attorney so requested  
17 shall report or confer with the department regarding the request, within 30 days  
18 after the receipt of ~~such~~ the request.

19           **SECTION 209.** 46.17 (1) of the statutes is amended to read:

20           46.17 (1) The department shall fix reasonable standards and regulations for  
21 the design, construction, repair, and maintenance of county homes, county  
22 infirmaries, county hospitals, and mental health facilities ~~and shelter care facilities~~,  
23 with respect to their adequacy and fitness for the needs which they are to serve.

24           **SECTION 210.** 46.206 (1) (a) of the statutes is amended to read:

1           46.206 (1) (a) The department shall supervise the administration of social  
2 services, except as provided under ch. 48 and subch. III of ch. 49 and except for  
3 juvenile delinquency-related services. The department shall submit to the federal  
4 authorities state plans for the administration of social services, except as provided  
5 under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related  
6 services, in such form and containing such information as the federal authorities  
7 require, and shall comply with all requirements prescribed to ensure their  
8 correctness.

9           **SECTION 211.** 46.206 (2) of the statutes is amended to read:

10           46.206 (2) The county administration of all laws relating to social services,  
11 except with respect to the programs under ch. 48 and subch. III of ch. 49 and to  
12 juvenile delinquency-related programs, shall be vested in the officers and agencies  
13 designated in the statutes.

14           **SECTION 212.** 46.21 (5) (b) of the statutes is amended to read:

15           46.21 (5) (b) Sections 46.10, 49.08, 49.345, 49.90, and 301.12 govern the  
16 support and maintenance of persons in any of the institutions specified in sub. (2) (a).

17           **SECTION 213.** 46.215 (1) (d) of the statutes is amended to read:

18           46.215 (1) (d) To make investigations that relate to services under subchs. II,  
19 IV, and V of ch. 49 upon request by the department of health and family services, to  
20 make investigations that relate to juvenile delinquency-related services at the  
21 request of the department of corrections, and to make investigations that relate to  
22 programs under ch. 48 and subch. III of ch. 49 upon request by the department of  
23 workforce development children and families.

24           **SECTION 214.** 46.215 (1) (j) of the statutes is amended to read:

1           46.215 (1) (j) To make payments in such manner as the department of  
2 ~~workforce development~~ children and families may determine for training of  
3 recipients, former recipients, and potential recipients of aid in programs established  
4 under s. 49.193, 1997 stats., and s. 49.26 (1).

5           **SECTION 215.** 46.215 (1p) of the statutes is amended to read:

6           46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE  
7 INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78  
8 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
9 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
10 (2) (a), a county department under this section may enter the content of any record  
11 kept or information received by that county department into the statewide  
12 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

13           **SECTION 216.** 46.215 (2) (a) 2. of the statutes is amended to read:

14           46.215 (2) (a) 2. In order to ensure the availability of a full range of care and  
15 services, the county department of social services may contract, either directly or  
16 through the department of ~~workforce development~~ children and families, with public  
17 or voluntary agencies or others to purchase, in full or in part, care and services under  
18 ch. 48 and subch. III of ch. 49 which the county department of social services is  
19 authorized to furnish. This care and these services may be purchased from the  
20 department of ~~workforce development~~ children and families if the department of  
21 ~~workforce development~~ children and families has staff to furnish the services. If the  
22 county department of social services has adequate staff, it may sell the care and  
23 services directly to another county or state agency.

24           **SECTION 217.** 46.215 (2) (b) of the statutes is amended to read:

1           46.215 (2) (b) A county department of social services may purchase  
2 development and training services from the department of health and family  
3 services, from the department of ~~workforce development~~ children and families, from  
4 the department of corrections or from other county agencies when the services are  
5 available. A county department of social services may sell the development and staff  
6 training services to another county or state agency if the county department has  
7 adequate staff to provide the services.

8           **SECTION 218.** 46.215 (2) (c) 2. of the statutes is amended to read:

9           46.215 (2) (c) 2. A county department of social services shall develop, under the  
10 requirements of s. 49.34, plans and contracts for care and services to be purchased  
11 under ch. 48 and subch. III of ch. 49. The department of ~~workforce development~~  
12 children and families may review the contracts and approve them if they are  
13 consistent with s. 49.34 and if state or federal funds are available for such purposes.  
14 The joint committee on finance may require the department of ~~workforce~~  
15 ~~development~~ children and families to submit the contracts to the committee for  
16 review and approval. The department of ~~workforce development~~ children and  
17 families may not make any payments to a county for programs included in a contract  
18 under review by the committee.

19           **SECTION 219.** 46.215 (3) of the statutes is amended to read:

20           46.215 (3) PROGRAM BUDGETS. The county department of social services shall  
21 submit a final budget to the department of health and family services under s. 46.031  
22 (1), to the department of corrections under s. 301.031 (1), and to the department of  
23 ~~workforce development~~ children and families under s. 49.325 (1), for authorized  
24 services.

25           **SECTION 220.** 46.22 (1) (b) 1. b. of the statutes is amended to read:

1           46.22 (1) (b) 1. b. To make investigations which relate to welfare services,  
2           except as provided under ch. 48 and subch. III of ch. 49, upon request by the  
3           department of health and family services.

4           **SECTION 221.** 46.22 (1) (b) 1. f. of the statutes is renumbered 46.22 (1) (b) 2. fm.

5           **SECTION 222.** 46.22 (1) (b) 2. (intro.) of the statutes is amended to read:

6           46.22 (1) (b) 2. (intro.) A county department of social services shall have the  
7           following functions, duties, and powers in accordance with the rules promulgated by  
8           the department of ~~workforce development~~ children and families and subject to the  
9           supervision of the department of ~~workforce development~~ children and families:

10          **SECTION 223.** 46.22 (1) (b) 2. c. of the statutes is amended to read:

11          46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch.  
12          III of ch. 49 upon request by the department of ~~workforce development~~ children and  
13          families.

14          **SECTION 224.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

15          46.22 (1) (b) 2. e. To make payments in such manner as the department of  
16          ~~workforce development~~ children and families may determine for training of  
17          recipients, former recipients and potential recipients of aid in programs established  
18          under ss. 49.193, 1997 stats., and s. 49.26 (1).

19          **SECTION 225.** 46.22 (1) (b) 2. g. of the statutes is amended to read:

20          46.22 (1) (b) 2. g. To make certification or referral of eligibles for state or federal  
21          works or other assistance programs under ch. 48 and subch. III of ch. 49, eligibility  
22          for which is based on need.

23          **SECTION 226.** 46.22 (1) (b) 3. (intro.) of the statutes is amended to read:

24          46.22 (1) (b) 3. (intro.) A county department of social services shall have the  
25          following functions, duties, and powers in accordance with the rules promulgated



1 and standards established by the department of health and family services and  
2 subject to the supervision of the department of ~~workforce development~~ children and  
3 families:

4 **SECTION 227.** 46.22 (1) (b) 3. d. of the statutes is amended to read:

5 46.22 (1) (b) 3. d. To submit a final budget to the department of ~~workforce~~  
6 ~~development~~ children and families in accordance with s. 49.325 for services  
7 authorized in this subdivision.

8 **SECTION 228.** 46.22 (1) (c) 8. f. of the statutes is amended to read:

9 46.22 (1) (c) 8. f. The county department of social services shall implement the  
10 statewide automated child welfare information system established by ~~the~~  
11 ~~department~~ under s. ~~46.03~~ 48.47 (7g).

12 **SECTION 229.** 46.22 (1) (d) of the statutes is amended to read:

13 46.22 (1) (d) *Merit system; records.* The county department of social services  
14 is subject to s. 49.78 (4) to (7). The county department of social services and all county  
15 officers and employees performing any duties in connection with the administration  
16 of aid to families with dependent children shall observe all rules promulgated by the  
17 department of ~~workforce development~~ children and families under s. 49.78 (4) and  
18 shall keep records and furnish reports as the department of ~~workforce development~~  
19 children and families requires in relation to their performance of such duties.

20 **SECTION 230.** 46.22 (1) (dp) of the statutes is amended to read:

21 46.22 (1) (dp) *Exchange of information; statewide automated child welfare*  
22 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)  
23 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
24 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
25 (2) (a), a county department under this section may enter the content of any record

1 kept or information received by that county department into the statewide  
2 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

3 **SECTION 231.** 46.22 (1) (e) 1. of the statutes is amended to read:

4 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and  
5 services, a county department of social services may contract, either directly or  
6 through the department of health and family services, the department of ~~workforce~~  
7 ~~development~~ children and families, or the department of corrections, with public or  
8 voluntary agencies or others to purchase, in full or in part, care and services which  
9 the county department of social services is authorized by any statute to furnish in  
10 any manner. The services may be purchased from the department of health and  
11 family services, the department of ~~workforce-development~~ children and families, or  
12 the department of corrections if the department of health and family services, the  
13 department of ~~workforce-development~~ children and families, or the department of  
14 corrections has staff to furnish the services. The county department of social  
15 services, if it has adequate staff, may sell the care and services directly to another  
16 county or state agency.

17 **SECTION 232.** 46.22 (1) (e) 2. of the statutes is amended to read:

18 46.22 (1) (e) 2. A county department of social services may purchase  
19 development and training services from the department of health and family  
20 services, the department of ~~workforce-development~~ children and families, or the  
21 department of corrections or from other county agencies if the services are available  
22 or sell the development and staff training services to another county or state agency  
23 if the county department of social services has adequate staff to provide the services.

24 **SECTION 233.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

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

13           **SECTION 234.** 46.22 (1) (e) 3. b. of the statutes is amended to read:

14           46.22 (1) (e) 3. b. A county department of social services shall develop, under  
15 the requirements of s. 49.34, plans and contracts for care and services under ch. 48  
16 and subch. III of ch. 49 to be purchased. The department of ~~workforce development~~  
17 children and families may review the contracts and approve them if they are  
18 consistent with s. 49.34 and to the extent that state or federal funds are available for  
19 such purposes. The joint committee on finance may require the department of  
20 ~~workforce development~~ children and families to submit the contracts to the  
21 committee for review and approval. The department of ~~workforce development~~  
22 children and families may not make any payments to a county for programs included  
23 in the contract that is under review by the committee.

24           **SECTION 235.** 46.22 (2g) (d) of the statutes is amended to read:

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

10           **SECTION 236.** 46.22 (3m) (b) 12. of the statutes is amended to read:

11           46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the  
12 department of health and family services, by the department of ~~workforce~~  
13 ~~development~~ children and families, or by the department of corrections.

14           **SECTION 237.** 46.22 (3m) (b) 17. b. of the statutes is amended to read:

15           46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of  
16 health and family services, the secretary of ~~workforce development~~ children and  
17 families, the secretary of corrections, and the county board of supervisors.

18           **SECTION 238.** 46.23 (3) (a) of the statutes is amended to read:

19           46.23 (3) (a) *Creation.* Upon approval by the secretary of health and family  
20 services, by the secretary of corrections, and by the secretary of ~~workforce~~  
21 ~~development~~ children and families of a feasibility study and a program  
22 implementation plan, the county board of supervisors of any county with a  
23 population of less than 500,000, or the county boards of supervisors of 2 or more  
24 contiguous counties, each of which has a population of less than 500,000, may  
25 establish by resolution a county department of human services on a single-county

1 or multicounty basis to provide the services required under this section. The county  
2 department of human services shall consist of the county human services board, the  
3 county human services director and necessary personnel.

4 **SECTION 239.** 46.23 (3) (am) 4. of the statutes is amended to read:

5 46.23 (3) (am) 4. No funds may be allocated to any multicounty department of  
6 human services until the counties have drawn up a detailed contractual agreement,  
7 approved by the secretary of health and family services, by the secretary of  
8 corrections, and by the secretary of workforce development children and families,  
9 setting forth the plan for joint sponsorship.

10 **SECTION 240.** 46.23 (3) (ed) of the statutes is amended to read:

11 46.23 (3) (ed) *Exchange of information; statewide automated child welfare*  
12 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)  
13 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
14 ~~252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
15 (2) (a), a county department under this section may enter the content of any record  
16 kept or information received by that county department into the statewide  
17 automated child welfare information system established under s. 46.03 48.47 (7g).

18 **SECTION 241.** 46.23 (5) (a) 1. of the statutes is amended to read:

19 46.23 (5) (a) 1. Shall determine administrative and program policies, except as  
20 provided under ch. 48 and subch. III of ch. 49 and except for juvenile  
21 delinquency-related policies, within limits established by the department of health  
22 and family services. Policy decisions, except as provided under ch. 48 and subch. III  
23 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute  
24 for the department of health and family services may be delegated by the secretary  
25 to the county human services board.

1           **SECTION 242.** 46.23 (5) (a) 2. of the statutes is amended to read:

2           46.23 (5) (a) 2. Shall determine administrative and program policies under ch.  
3 48 and subch. III of ch. 49 within limits established by the department of ~~workforce~~  
4 ~~development~~ children and families. Policy decisions under ch. 48 and subch. III of  
5 ch. 49 not reserved by statute for the department of ~~workforce development~~ children  
6 and families may be delegated by the secretary of ~~workforce development~~ children  
7 and families to the county human services board.

8           **SECTION 243.** 46.23 (5) (b) of the statutes is amended to read:

9           46.23 (5) (b) Shall establish priorities in addition to those mandated by the  
10 department of health and family services, the department of corrections, or the  
11 department of ~~workforce development~~ children and families.

12           **SECTION 244.** 46.23 (5) (c) 1. of the statutes is amended to read:

13           46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
14 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
15 services, are provided or purchased or contracted for with local providers, and  
16 monitor the performance of such contracts. Purchase of services contracts shall be  
17 subject to the conditions specified in s. 46.036.

18           **SECTION 245.** 46.23 (5) (c) 2. of the statutes is amended to read:

19           46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48  
20 and subch. III of ch. 49 are provided or purchased or contracted for with local  
21 providers, and monitor the performance of such contracts. Purchase of services  
22 contracts shall be subject to the conditions specified in s. 49.34.

23           **SECTION 246.** 46.23 (5) (n) 1. of the statutes is amended to read:

24           46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
25 authorized services, except for services under ch. 48 and subch. III of ch. 49 and

1 juvenile delinquency-related services. Notwithstanding the categorization of or  
2 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval  
3 of the department of health and family services the county human services board  
4 may expend these funds consistent with any service provided under s. 46.495 or  
5 51.42.

6 **SECTION 247.** 46.23 (5) (n) 2. of the statutes is amended to read:

7 46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for  
8 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the  
9 categorization of or limits specified for funds allocated under s. 48.569, with the  
10 approval of the department of children and families the county human services board  
11 may expend these funds consistent with any service provided under s. 48.569.

12 **SECTION 248.** 46.23 (5m) (c) of the statutes is amended to read:

13 46.23 (5m) (c) Prepare, with the assistance of the county human services  
14 director under sub. (6m) (e), a proposed budget for submission to the county executive  
15 or county administrator, a final budget for submission to the department of health  
16 and family services in accordance with s. 46.031 (1) for authorized services, except  
17 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
18 services, a final budget for submission to the department of ~~workforce development~~  
19 children and families in accordance with s. 49.325 for authorized services under ch.  
20 48 and subch. III of ch. 49, and a final budget for submission to the department of  
21 corrections in accordance with s. 301.031 for authorized juvenile  
22 delinquency-related services.

23 **SECTION 249.** 46.23 (6) (a) (intro.) of the statutes is amended to read:

24 46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)  
25 (f) shall have all of the administrative and executive powers and duties of managing,

1 operating, maintaining, and improving the programs of the county department of  
2 human services, subject to the rules promulgated by the department of health and  
3 family services for programs, except services or programs under ch. 48 and subch.  
4 III of ch. 49 and juvenile delinquency-related services or programs, subject to the  
5 rules promulgated by the department of ~~workforce development~~ children and  
6 families for services or programs under ch. 48 and subch. III of ch. 49, and subject  
7 to the rules promulgated by the department of corrections for juvenile  
8 delinquency-related services or programs. In consultation with the county human  
9 services board under sub. (5) and subject to its approval, the county human services  
10 director shall prepare:

11 **SECTION 250.** 46.23 (6) (a) 3. of the statutes is amended to read:

12 46.23 (6) (a) 3. Such other reports as are required by the secretary of health and  
13 family services, by the secretary of corrections, or by the secretary of ~~workforce~~  
14 ~~development~~ children and families and the county board of supervisors in a county  
15 with a single-county department of human services or the county boards of  
16 supervisors in counties with a multicounty department of human services.

17 **SECTION 251.** 46.24 of the statutes is renumbered 48.375 (9) and amended to  
18 read:

19 48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.  
20 If a minor who is contemplating an abortion requests assistance from a county  
21 department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor's  
22 parent, guardian, or legal custodian, or in seeking the consent of an adult family  
23 member, ~~as defined in s. 48.375 (2) (b)~~, for the contemplated abortion or in seeking  
24 a waiver from the circuit court, the county department shall provide assistance,  
25 including, if so requested, accompanying the minor as appropriate.



1           **SECTION 252.** 46.247 of the statutes is renumbered 49.345 (14) (g) and amended  
2 to read:

3           49.345 (14) (g) ~~Application of child support standard for certain children.~~ For  
4 purposes of determining child support under s. ~~46.10 (14) par.~~ (b), the department  
5 shall promulgate rules related to the application of the standard established by the  
6 department of ~~workforce development~~ under s. 49.22 (9) to a child support obligation  
7 for the care and maintenance of a child who is placed by a court order under s. 48.355  
8 or 48.357 in a residential, nonmedical facility. The rules shall take into account the  
9 needs of any person, including dependent children other than the child, whom either  
10 parent is legally obligated to support.

11           **SECTION 253.** 46.261 (title) of the statutes is renumbered 48.645 (title).

12           **SECTION 254.** 46.261 (1) of the statutes is renumbered 48.645 (1).

13           **SECTION 255.** 46.261 (2) (title) of the statutes is renumbered 48.645 (2) (title).

14           **SECTION 256.** 46.261 (2) (a) (intro.) of the statutes is renumbered 48.645 (2) (a)  
15 (intro.).

16           **SECTION 257.** 46.261 (2) (a) 1. of the statutes is renumbered 48.645 (2) (a) 1. and  
17 amended to read:

18           48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster  
19 home or treatment foster home having a license under s. 48.62, in a foster home or  
20 treatment foster home located within the boundaries of a federally recognized  
21 American Indian reservation in this state and licensed by the tribal governing body  
22 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian  
23 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor  
24 custodial parent who cares for the dependent child, regardless of the cause or  
25 prospective period of dependency. The state shall reimburse counties pursuant to the

1 procedure under s. ~~46.495~~ 48.569 (2) and the percentage rate of participation set  
2 forth in s. ~~46.495~~ 48.569 (1) (d) for aid granted under this section except that if the  
3 child does not have legal settlement in the granting county, state reimbursement  
4 shall be at 100%. The county department under s. 46.215 ~~or~~, 46.22, or 46.23 or the  
5 department under s. 48.48 (17) shall determine the legal settlement of the child. A  
6 child under one year of age shall be eligible for aid under this subsection irrespective  
7 of any other residence requirement for eligibility within this section.

8 **SECTION 258.** 46.261 (2) (a) 2. of the statutes is renumbered 48.645 (2) (a) 2. and  
9 amended to read:

10 48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more,  
11 the department, on behalf of a child in the legal custody of a county department under  
12 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child  
13 who was removed from the home of a relative, ~~as defined under s. 48.02 (15)~~, as a  
14 result of a judicial determination that continuance in the home of a relative would  
15 be contrary to the child's welfare for any reason when such the child is placed in a  
16 licensed ~~child caring institution~~ residential care center for children and youth by the  
17 county department or the department. Reimbursement shall be made by the state  
18 pursuant to as provided in subd. 1.

19 **SECTION 259.** 46.261 (2) (a) 3. of the statutes is renumbered 48.645 (2) (a) 3. and  
20 amended to read:

21 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,  
22 the department, when the child is placed in a licensed foster home, treatment foster  
23 home, group home, or residential care center for children and youth or in a subsidized  
24 guardianship home by a licensed child welfare agency or by a federally recognized  
25 American Indian tribal governing body in this state or by its designee, if the child is

1 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the  
2 department under s. 48.48 (17) or if the child was removed from the home of a  
3 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that  
4 continuance in the home of the relative would be contrary to the child's welfare for  
5 any reason and the placement is made pursuant to under an agreement with the  
6 county department or the department.

7 **SECTION 260.** 46.261 (2) (a) 4. of the statutes is renumbered 48.645 (2) (a) 4. and  
8 amended to read:

9 48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,  
10 or residential care center for children and youth or a subsidized guardianship home  
11 when the child is in the custody or guardianship of the state, when the child is a ward  
12 of an American Indian tribal court in this state and the placement is made under an  
13 agreement between the department and the tribal governing body, or when the child  
14 was part of the state's direct service case load and was removed from the home of a  
15 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that  
16 continuance in the home of a relative would be contrary to the child's welfare for any  
17 reason and the child is placed by the department.

18 **SECTION 261.** 46.261 (2) (b) of the statutes is renumbered 48.645 (2) (b).

19 **SECTION 262.** 46.261 (3) of the statutes is renumbered 48.645 (3).

20 **SECTION 263.** 46.28 (1) (f) of the statutes is amended to read:

21 46.28 (1) (f) "Victim of domestic abuse" means an individual who has  
22 encountered domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a).

23 **SECTION 264.** 46.30 (title) of the statutes is renumbered 49.265 (title).

24 **SECTION 265.** 46.30 (1) of the statutes is renumbered 49.265 (1).

25 **SECTION 266.** 46.30 (2) of the statutes is renumbered 49.265 (2).

1           **SECTION 267.** 46.30 (3) (title) of the statutes is renumbered 49.265 (3) (title).

2           **SECTION 268.** 46.30 (3) (a) (intro.) of the statutes is renumbered 49.265 (3) (a)  
3 (intro.).

4           **SECTION 269.** 46.30 (3) (a) 1. of the statutes is renumbered 49.265 (3) (a) 1.

5           **SECTION 270.** 46.30 (3) (a) 2. of the statutes is renumbered 49.265 (3) (a) 2.

6           **SECTION 271.** 46.30 (3) (a) 3. of the statutes is renumbered 49.265 (3) (a) 3.

7           **SECTION 272.** 46.30 (3) (a) 4. of the statutes is renumbered 49.265 (3) (a) 4.

8           **SECTION 273.** 46.30 (3) (a) 5. of the statutes is renumbered 49.265 (3) (a) 5.

9           **SECTION 274.** 46.30 (3) (a) 6. of the statutes is renumbered 49.265 (3) (a) 6.

10          **SECTION 275.** 46.30 (3) (a) 7. of the statutes is renumbered 49.265 (3) (a) 7.

11          **SECTION 276.** 46.30 (3) (a) 8. of the statutes is renumbered 49.265 (3) (a) 8. and  
12 amended to read:

13           49.265 (3) (a) 8. Appoint a representative or representatives to the citizen  
14 advisory committee under s. ~~46.031~~ 49.325 (3) (a), in order to participate in  
15 developing and implementing programs designed to serve the poor.

16          **SECTION 277.** 46.30 (3) (b) of the statutes is renumbered 49.265 (3) (b).

17          **SECTION 278.** 46.30 (4) (title) of the statutes is renumbered 49.265 (4) (title).

18          **SECTION 279.** 46.30 (4) (a) of the statutes is renumbered 49.265 (4) (a) and  
19 amended to read:

20           49.265 (4) (a) The department shall distribute the federal community services  
21 block grant funds received under 42 USC 9903 and deposited in the appropriations  
22 under s. ~~20.435 (3)~~ 20.437 (1) (mc) and (md).

23          **SECTION 280.** 46.30 (4) (b) of the statutes is renumbered 49.265 (4) (b).

24          **SECTION 281.** 46.30 (4) (c) of the statutes is renumbered 49.265 (4) (c).

25          **SECTION 282.** 46.30 (4) (d) of the statutes is renumbered 49.265 (4) (d).

1           **SECTION 283.** 46.30 (5) of the statutes is renumbered 49.265 (5).

2           **SECTION 284.** 46.40 (1) (a) of the statutes is amended to read:

3           46.40 (1) (a) Within the limits of available federal funds and of the  
4           appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds  
5           for community social, mental health, developmental disabilities, and alcohol and  
6           other drug abuse services and for services under ss. ~~46.51~~, 46.87, 46.985, and 51.421  
7           to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to  
8           county aging units, as provided in subs. (2), (2m), and (7) to (9).

9           **SECTION 285.** 46.40 (1) (b) of the statutes is renumbered 48.563 (1) (b) and  
10          amended to read:

11          48.563 (1) (b) Notwithstanding s. ~~46.49~~ 48.568, if the department receives any  
12          federal moneys under 42 USC 670 to 679a in reimbursement of moneys allocated  
13          under par. (a) for the provision of foster care, the department shall distribute those  
14          federal moneys for services and projects to assist children and families and for the  
15          purposes specified in s. ~~46.46~~ 48.567.

16          **SECTION 286.** 46.40 (1) (c) of the statutes is renumbered 48.563 (1) (c) and  
17          amended to read:

18          48.563 (1) (c) The Milwaukee County department of social services shall report  
19          to the department in a manner specified by the department on all children under the  
20          supervision of the Milwaukee County department of social services who are placed  
21          in foster homes and whose foster parents receive funding for child care from the  
22          amounts distributed under par. (a) so that the department may claim federal foster  
23          care and adoption assistance reimbursement under 42 USC 670 to 679a for the  
24          amounts expended by the Milwaukee County department of social services for the  
25          provision of child care for those children. Notwithstanding s. ~~46.49~~ 48.568, if the

1 department receives any federal moneys under 42 USC 670 to 679a in  
2 reimbursement of the amounts expended by the Milwaukee County department of  
3 social services for the provision of child care for children in foster care in 1996 and  
4 1997, the department shall distribute those federal moneys to the Milwaukee County  
5 department of social services for the provision of child care for children in foster care.

6 **SECTION 287.** 46.40 (1) (d) of the statutes is amended to read:

7 46.40 (1) (d) If the department of health and family services receives any  
8 federal moneys under 42 USC 1396 to 1396v in reimbursement of the cost of  
9 preventing out-of-home placements of children, the department of health and  
10 family services shall transfer those moneys to the department of children and  
11 families, and the department of children and families shall use those moneys as the  
12 first source of moneys used to meet the amount of the allocation under sub. s. 48.563  
13 (2) that is budgeted from federal funds.

14 **SECTION 288.** 46.40 (2) of the statutes, as affected by 2007 Wisconsin Act ....  
15 (this act), is amended to read:

16 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under  
17 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not  
18 more than ~~\$242,421,500~~ \$176,255,400 in each fiscal year.

\*\*\*\*NOTE: This is reconciled s. 46.40 (2). This SECTION has been affected by drafts  
with the following LRB numbers: -0258 and -1261.

19 **SECTION 289.** 46.40 (3) of the statutes is renumbered 48.563 (3) and amended  
20 to read:

21 48.563 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the  
22 department shall distribute not more than \$412,800 in each fiscal year from the  
23 appropriation account under s. ~~20.435 (7)~~ 20.437 (1) (b) to federally recognized

1 American Indian tribes or bands. A tribe or band that receives funding under this  
2 subsection shall use that funding to provide child care for an eligible child, as defined  
3 in 42 USC 9858n (4).

4 **SECTION 290.** 46.40 (7m) of the statutes is renumbered 48.563 (7m) and  
5 amended to read:

6 **48.563 (7m)** USE BY COUNTY OF ~~COMMUNITY CHILDREN AND FAMILY AIDS FUNDS TO~~  
7 ~~PAY PRIVATE ATTORNEYS FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE.~~ Upon  
8 application by a county department under s. 46.215, 46.22, or 46.23 to the  
9 department for permission to use funds allocated to that county department under  
10 sub. (2) to employ private counsel for the purposes specified in this subsection and  
11 a determination by the department that use of funds for those purposes does not  
12 affect any federal grants or federal funding allocated under this section, the  
13 department and the county department shall execute a contract authorizing the  
14 county department to expend, as agreed upon in the contract, funds allocated to that  
15 county department under sub. (2) to permit the county department to employ private  
16 counsel to represent the interests of the state or county in proceedings under ~~ch. 48~~  
17 this chapter relating to child abuse or neglect cases, unborn child abuse cases,  
18 ~~proceedings to terminate, termination of parental rights, and any ch. 48 cases or~~  
19 ~~proceedings involving the Indian child welfare act~~ Child Welfare Act, 25 USC 1901  
20 to 1963.

21 **SECTION 291.** 46.45 (2) (a) of the statutes is renumbered 48.565 (2) (a) and  
22 amended to read:

23 **48.565 (2) (a)** Subject to par. (am), if on December 31 of any year there remains  
24 unspent or unencumbered in the allocation under s. 46.40 ~~48.563~~ (2) an amount that  
25 exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40

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

18 **SECTION 292.** 46.45 (2) (am) of the statutes is renumbered 48.565 (2) (am) and  
19 amended to read:

20 48.565 (2) (am) If on December 31 of any year a county is not using the  
21 centralized unit contracted for under s. 46.03 48.47 (7) (h) for determining whether  
22 the cost of providing care for a child is eligible for reimbursement under 42 USC 670  
23 to 679a, the department shall reduce that county's distribution under par. (a) by 50%.

24 **SECTION 293.** 46.45 (2) (b) of the statutes is renumbered 48.565 (2) (b).



1           **SECTION 294.** 46.45 (2) (c) of the statutes is renumbered 48.565 (2) (c) and  
2 amended to read:

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

6           **SECTION 295.** 46.45 (3) (a) of the statutes is amended to read:

7           46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal  
8 governing body, or private nonprofit organization, the department shall carry  
9 forward up to 3% of the total amount allocated to the county, tribal governing body,  
10 or nonprofit organization for a calendar year, not including the amount allocated to  
11 the county under s. 46.40 (7), which amount may be carried forward as provided in  
12 par. (c). All funds carried forward for a tribal governing body or nonprofit  
13 organization, ~~all federal child welfare funds under 42 USC 620 to 626~~, and all funds  
14 allocated under s. 46.40 (2m) carried forward for a county shall be used for the  
15 purpose for which the funds were originally allocated. Other funds carried forward  
16 under this paragraph may be used for any purpose under s. 20.435 (7) (b), except that  
17 a county may not use any funds carried forward under this paragraph for  
18 administrative or staff costs. An allocation of carried-forward funding under this  
19 paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and  
20 (9).

21           **SECTION 296.** 46.46 (1) of the statutes is amended to read:

22           46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the  
23 department shall support costs that are exclusively related to the ongoing and  
24 recurring operational costs of augmenting the amount of moneys received under ~~42~~  
25 ~~USC 670 to 679a~~, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v and to any

1 other purpose provided for by the legislature by law or in budget determinations and  
2 shall distribute moneys to counties as provided in sub. (1g). In addition, the  
3 department may expend moneys from the appropriation account under s. 20.435 (8)  
4 (mb) as provided in ~~subs. (1m) and sub.~~ (2).

5 **SECTION 297.** 46.46 (1m) of the statutes is renumbered 48.567 (1m) and  
6 amended to read:

7 48.567 (1m) In addition to expending moneys from the appropriation account  
8 under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) for the augmentation activities specified in  
9 sub. (1), the department may expend moneys received under 42 USC 1396 to 1396v  
10 in reimbursement of the cost of providing targeted case management services to  
11 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and  
12 credited to the appropriation account under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) to  
13 support the counties' share of implementing the statewide automated child welfare  
14 information system under s. 46.22 (1) (c) 8. f. and to provide services to children and  
15 families under s. 48.48 (17).

16 **SECTION 298.** 46.46 (2) of the statutes is amended to read:

17 46.46 (2) If the department proposes to use any moneys from the appropriation  
18 account under s. 20.435 (8) (mb) for any purpose other than the purposes specified  
19 in subs. (1), ~~(1g), and (1m)~~ and (1g), the department shall submit a plan for the  
20 proposed use of those moneys to the secretary of administration by September 1 of  
21 the fiscal year after the fiscal year in which those moneys were received. If the  
22 secretary of administration approves the plan, he or she shall submit the plan to the  
23 joint committee on finance by October 1 of the fiscal year after the fiscal year in which  
24 those moneys were received. If the cochairpersons of the committee do not notify the  
25 secretary of administration within 14 working days after the date of submittal of the

1 plan that the committee has scheduled a meeting for the purpose of reviewing the  
2 plan, the department may implement the plan. If within 14 working days after the  
3 date of the submittal by the secretary of administration the cochairpersons of the  
4 committee notify him or her that the committee has scheduled a meeting for the  
5 purpose of reviewing the plan, the department may implement the plan only with the  
6 approval of the committee.

7 **SECTION 299.** 46.481 (intro.) of the statutes is renumbered 48.481 (intro.) and  
8 amended to read:

9 **48.481 Grants for children's community programs.** (intro.) From the  
10 appropriation under s. ~~20.435 (3)~~ 20.437 (1) (bc), the department shall distribute the  
11 following grants for children's community programs:

12 **SECTION 300.** 46.481 (1) (title) of the statutes is renumbered 48.481 (1) (title).

13 **SECTION 301.** 46.481 (1) (a) of the statutes is renumbered 48.481 (1) (a) and  
14 amended to read:

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

25 **SECTION 302.** 46.481 (1) (b) of the statutes is renumbered 48.481 (1) (b).

1           **SECTION 303.** 46.481 (3) of the statutes is renumbered 48.481 (3).

2           **SECTION 304.** 46.49 (title) of the statutes is amended to read:

3           **46.49 (title) Allocation of federal funds for community aids and child**  
4 **welfare.**

5           **SECTION 305.** 46.49 (1) of the statutes is amended to read:

6           46.49 (1) ~~Subject to s. 46.40 (1) (b) and (e), if~~ If the department receives  
7 unanticipated federal community mental health services block grant funds under 42  
8 USC 300x to 300x-9, or federal prevention and treatment of substance abuse block  
9 grant funds under 42 USC 300x-21 to 300x-35, ~~or foster care and adoption~~  
10 ~~assistance payments under 42 USC 670 to 679a and it if the department~~ proposes to  
11 allocate the unanticipated funds so that an allocation limit in s. 46.40 is exceeded,  
12 the department shall submit a plan for the proposed allocation to the secretary of  
13 administration. If the secretary of administration approves the plan, he or she shall  
14 submit it to the joint committee on finance. If the cochairpersons of the committee  
15 do not notify the secretary of administration that the committee has scheduled a  
16 meeting for the purpose of reviewing the plan within 14 working days after the date  
17 of his or her submittal, the department may implement the plan, notwithstanding  
18 any allocation limits under s. 46.40. If within 14 working days after the date of the  
19 submittal by the secretary of administration the cochairpersons of the committee  
20 notify him or her that the committee has scheduled a meeting for the purpose of  
21 reviewing the plan, the department may implement the plan, notwithstanding s.  
22 46.40, only with the approval of the committee.

23           **SECTION 306.** 46.495 (1) (d) of the statutes is amended to read:

24           46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the  
25 department shall distribute the funding for social services, ~~including funding for~~

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

20 **SECTION 307.** 46.51 (title) of the statutes is renumbered 48.986 (title).

21 **SECTION 308.** 46.51 (1) of the statutes is renumbered 48.986 (1) and amended  
22 to read:

23 48.986 (1) From the amounts distributed under s. ~~46.40~~ 48.563 (1) for services  
24 for children and families, the department shall distribute funds to eligible counties  
25 for services related to child abuse and neglect and to unborn child abuse, including

1 child abuse and neglect and unborn child abuse prevention, investigation, and  
2 treatment.

3 **SECTION 309.** 46.51 (3) of the statutes is renumbered 48.986 (3).

4 **SECTION 310.** 46.51 (4) of the statutes is renumbered 48.986 (4).

5 **SECTION 311.** 46.51 (5) of the statutes is renumbered 48.986 (5).

6 **SECTION 312.** 46.515 (title) of the statutes is renumbered 48.983 (title).

7 **SECTION 313.** 46.515 (1) (intro.) of the statutes is renumbered 48.983 (1)  
8 (intro.).

9 **SECTION 314.** 46.515 (1) (a) of the statutes is repealed.

10 **SECTION 315.** 46.515 (1) (b) (intro.) of the statutes is renumbered 48.983 (1) (b)  
11 (intro.).

12 **SECTION 316.** 46.515 (1) (b) 1. (intro.) of the statutes is renumbered 48.983 (1)  
13 (b) 1. (intro.).

14 **SECTION 317.** 46.515 (1) (b) 1. a. of the statutes is renumbered 48.983 (1) (b) 1.  
15 a.

16 **SECTION 318.** 46.515 (1) (b) 1. b. of the statutes is renumbered 48.983 (1) (b) 1.  
17 b.

18 **SECTION 319.** 46.515 (1) (b) 1. c. of the statutes is renumbered 48.983 (1) (b) 1.  
19 c. and amended to read:

20 48.983 (1) (b) 1. c. A family that includes a person who has contacted a county  
21 department, ~~as defined in s. 48.02 (2g)~~, or an Indian tribe that has been awarded a  
22 grant under this section or, in a county having a population of 500,000 or more that  
23 has been awarded a grant under this section, the department or a licensed child  
24 welfare agency under contract with the department requesting assistance to prevent  
25 abuse or neglect of a child in the person's family and with respect to which an

1 individual responding to the request has determined that all of the conditions in  
2 subd. 2. exist.

3 **SECTION 320.** 46.515 (1) (b) 2. of the statutes is renumbered 48.983 (1) (b) 2.

4 **SECTION 321.** 46.515 (1) (c) of the statutes is repealed.

5 **SECTION 322.** 46.515 (1) (cm) of the statutes is renumbered 48.983 (1) (cm).

6 **SECTION 323.** 46.515 (1) (d) of the statutes is renumbered 48.983 (1) (d).

7 **SECTION 324.** 46.515 (1) (e) of the statutes is renumbered 48.983 (1) (e).

8 **SECTION 325.** 46.515 (1) (f) of the statutes is renumbered 48.983 (1) (f).

9 **SECTION 326.** 46.515 (1) (g) of the statutes is renumbered 48.983 (1) (g).

10 **SECTION 327.** 46.515 (1) (h) of the statutes is renumbered 48.983 (1) (h).

11 **SECTION 328.** 46.515 (1) (i) of the statutes is renumbered 48.983 (1) (i).

12 **SECTION 329.** 46.515 (1) (j) of the statutes is renumbered 48.983 (1) (j).

13 **SECTION 330.** 46.515 (2) of the statutes is renumbered 48.983 (2) and amended

14 to read:

15 **48.983 (2) FUNDS PROVIDED.** If a county or Indian tribe applies and is selected  
16 by the department under sub. (5) to participate in the program under this section,  
17 the department shall award, from the appropriation under s. ~~20.435 (5)~~ 20.437 (2)  
18 (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and  
19 (am). The minimum amount of a grant is \$10,000. The department shall determine  
20 the amount of a grant awarded to a county, other than a county with a population of  
21 500,000 or more, or Indian tribe in excess of the minimum amount based on the  
22 number of births that are funded by medical assistance under subch. IV of ch. 49 in  
23 that county or the reservation of that Indian tribe in proportion to the number of  
24 births that are funded by medical assistance under subch. IV of ch. 49 in all of the  
25 counties and the reservations of all of the Indian tribes to which grants are awarded

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

8 **SECTION 331.** 46.515 (3) of the statutes is renumbered 48.983 (3).

9 **SECTION 332.** 46.515 (4) of the statutes is renumbered 48.983 (4).

10 **SECTION 333.** 46.515 (5) of the statutes is renumbered 48.983 (5) and amended  
11 to read:

12 48.983 (5) SELECTION OF COUNTIES AND INDIAN TRIBES. The department shall  
13 provide competitive application procedures for selecting counties and Indian tribes  
14 for participation in the program under this section. The department shall establish  
15 a method for ranking applicants for selection based on the quality of their  
16 applications. In ranking the applications submitted by counties, the department  
17 shall give favorable consideration to a county that has indicated under sub. (6) (d)  
18 2. that it is willing to use a portion of any moneys distributed to the county under s.  
19 ~~46.45~~ 48.565 (2) (a) to provide case management services to a medical assistance  
20 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family  
21 that is a case and that has explained under sub. (6) (d) 2. how the county plans to use  
22 that portion of those moneys to promote the provision of those services for the case  
23 by using a wraparound process so as to provide those services in a flexible,  
24 comprehensive and individualized manner in order to reduce the necessity for  
25 court-ordered services. The department shall also provide application requirements



1 and procedures for the renewal of a grant awarded under this section. The  
2 application procedures and the renewal application requirements and procedures  
3 shall be clear and understandable to the applicants. The department need not  
4 promulgate as rules under ch. 227 the application procedures, the renewal  
5 application requirements or procedures or the method for ranking applicants  
6 established under this subsection.

7 **SECTION 334.** 46.515 (6) (intro.) of the statutes is renumbered 48.983 (6)  
8 (intro.).

9 **SECTION 335.** 46.515 (6) (a) of the statutes is renumbered 48.983 (6) (a).

10 **SECTION 336.** 46.515 (6) (b) of the statutes is renumbered 48.983 (6) (b).

11 **SECTION 337.** 46.515 (6) (c) of the statutes is renumbered 48.983 (6) (c).

12 **SECTION 338.** 46.515 (6) (d) (title) of the statutes is renumbered 48.983 (6) (d)  
13 (title).

14 **SECTION 339.** 46.515 (6) (d) 1. of the statutes is renumbered 48.983 (6) (d) 1.

15 **SECTION 340.** 46.515 (6) (d) 2. of the statutes is renumbered 48.983 (6) (d) 2. and  
16 amended to read:

17 48.983 (6) (d) 2. The applicant indicates in the grant application whether the  
18 applicant is willing to use a portion of any moneys distributed to the applicant under  
19 s. 46.45 48.565 (2) (a) to provide case management services to a medical assistance  
20 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family  
21 that is a case. If the applicant is so willing, the applicant shall explain how the  
22 applicant plans to use that portion of those moneys to promote the provision of those  
23 services for the case by using a wraparound process so as to provide those services  
24 in a flexible, comprehensive and individualized manner in order to reduce the  
25 necessity for court-ordered services.