

2007 DRAFTING REQUEST

Bill

Received: **01/16/2007**

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Harshner**

This file may be shown to any legislator: **NO**

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Public Assistance - Wis works
Children - day care**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Harshner, BB0356 -

Topic:

Eligibility for child care subsidies

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 01/16/2007	kfollett 01/17/2007		_____			S&L
/1			rschluet 01/17/2007	_____	sbasford 01/17/2007		S&L
/2	pkahler 01/24/2007	kfollett 01/25/2007	rschluet 01/25/2007	_____	sbasford 01/25/2007		

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 01/16/2007

Received By: pkahler

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Harshner

This file may be shown to any legislator: NO

Drafter: pkahler

May Contact:

Addl. Drafters:

Subject: Public Assistance - Wis works
Children - day care

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Harshner, BB0356 -

Topic:

Eligibility for child care subsidies

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 01/16/2007	kfollett 01/17/2007		_____ _____			S&L
/1		12kjf 1/25	rschluet 01/17/2007	_____ _____	sbasford 01/17/2007		

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 01/16/2007

Received By: pkahler

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Harshner

This file may be shown to any legislator: NO

Drafter: pkahler

May Contact:

Addl. Drafters:

Subject: Public Assistance - Wis works
Children - day care

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Harshner, BB0356 -

Topic:

Eligibility for child care subsidies

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler	11kjf 1117	SS 1277				

FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Income Eligibility for Wisconsin Shares.
- Tracking Code: BB0356
- SBO team: Education
- SBO analyst: Sam Harshner
 - Phone: 266-8219
 - Email: Samuel.Harshner@wisconsin.gov
- Agency acronym: DWD
- Agency number: 445
- Priority (Low, Medium, High): High

Notes:

Under current law eligibility for Wisconsin Share Child Care Subsidies is limited to families below 185% of the Federal Poverty Level (FPL). Once they are receiving benefits they may remain on the program until their income reaches 200% FPL.

This language should lower initial eligibility to 175% FPL and allow individuals to stay on Wisconsin Shares until they reach 190% FPL.

Should affect s. 49.155(1m)(c).



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1538/7

PJK...

DOA:.....Harshner, BB0356 - Eligibility for child care subsidies

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

(in 1-16)
D-note

do not
get cat

1 AN ACT *relating to:* the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

The Wisconsin Works (W-2) program under current law provides work experience and benefits for low-income custodial parents who are at least 18 years old. Also, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, is eligible for a child care subsidy under the W-2 program if the individual needs child care services to participate in various educational or work activities and satisfies other eligibility criteria. One of those criteria is that the individual's family income may not exceed 185 percent of the poverty line. If an individual is already receiving a child care subsidy, however, their family income may be as high as 200 percent of the poverty line before they lose eligibility. This bill changes those maximum family income levels to 175 percent of poverty for an individual who is first applying for a child care subsidy and to 190 percent of poverty for an individual who is already receiving a subsidy.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 49.155 (1m) (c) 1. (intro.) of the statutes is amended to read:

2 49.155 (1m) (c) 1. (intro.) Except as provided in subds. 1g., 1h., 1m., 2., and 3.,
3 the gross income of the individual's family is at or below ~~185%~~ 175 percent of the
4 poverty line for a family the size of the individual's family or, for an individual who
5 is already receiving a child care subsidy under this section, the gross income of the
6 individual's family is at or below ~~200%~~ 190 percent of the poverty line for a family
7 the size of the individual's family. In calculating the gross income of the family, the
8 Wisconsin ~~works~~ Works agency shall include income described under s. 49.145 (3) (b)
9 1. and 3., except that, in calculating farm and self-employment income, the
10 Wisconsin ~~works~~ Works agency shall include the sum of the following:

11 History: 1995 a. 289; 1997 a. 27, s. 1766 to 1775, 1838 to 1857; 1997 a. 41, 105, 237, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 165.

11 SECTION 9354. Initial applicability; Workforce Development.

12 (1) ELIGIBILITY FOR CHILD CARE SUBSIDY. The treatment of section 49.155 (1m) (c)
13 1. (intro.) (with respect to family income for initial eligibility for a child care subsidy)
14 of the statutes first applies to individuals who apply for a child care subsidy on the
15 effective date of this subsection.

16 (END)

D-upte

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1538/dn

PJK:...

gjf

Date

I did not change s. 49.155 (1m) (c) 1g., 1h., 1m., 2., or 3. from 200 percent of poverty to 190 percent of poverty. OK?

Is the initial applicability ok? An individual who is receiving a subsidy on the effective date of the budget whose income is greater than 190 percent of poverty but less than 200 percent of poverty would lose eligibility even though when they first started receiving the subsidy they understood that they would be eligible as long as their income did not exceed 200 percent of poverty.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1538/1dn
PJK:kjfrs

January 17, 2007

I did not change s. 49.155 (1m) (c) 1g., 1h., 1m., 2., or 3. from 200 percent of poverty to 190 percent of poverty. OK?

Is the initial applicability ok? An individual who is receiving a subsidy on the effective date of the budget whose income is greater than 190 percent of poverty but less than 200 percent of poverty would lose eligibility even though when they first started receiving the subsidy they understood that they would be eligible as long as their income did not exceed 200 percent of poverty.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov

Kahler, Pam

From: Harshner, Samuel - DOA
Sent: Wednesday, January 24, 2007 10:52 AM
To: Kahler, Pam
Subject: RE: LRB draft 07-1538

Pam,

49.132 must have contained the ancestor of the current Wisconsin Shares program although I cannot track that down currently. Since this rule applies only to individuals below 200% FPL, I don't see any reason why we can't treat the people referenced in 49.155(1m)(c) 1m., 2. and 3. the same way we treat the rest of the population. Go ahead and delete these provisions.

Sam

From: Kahler, Pam [mailto:Pam.Kahler@legis.wisconsin.gov]
Sent: Wednesday, January 24, 2007 10:40 AM
To: Harshner, Samuel - DOA
Subject: RE: LRB draft 07-1538

Sam:

Are all of the people mentioned in s. 49.155 (1m) (c) 1m., 2., and 3. supposed to be receiving a child care subsidy under s. 49.155? If so, maybe those subdivisions can just be repealed because, under the new language, they would be treated just like everyone else; they would remain eligible up to 200% if they are receiving the subsidy now and would have to have incomes at or below 175% if they lost eligibility after the effective date and had to reapply. On the other hand, if these subdivisions are supposed to be addressing different benefits under previous law and not child care subsidies under s. 49.155, then I don't think we want to repeal or amend them. I just don't really know what they are intended to address.

From: Harshner, Samuel - DOA
Sent: Tuesday, January 23, 2007 5:09 PM
To: Kahler, Pam
Subject: LRB draft 07-1538

Hey Pam,

Two comments on the draft:

1. A provision needs to be inserted to ensure that it's evident that the new 190% continuing eligibility threshold applies only to new applicants. Individuals already receiving benefits at the time the bill takes effect should retain eligibility until their income exceeds 200% FPL. Sorry I was probably unclear about the up front. My bad.
2. For the population under s. 49.155(1m)(c)3 there needs to be a distinction between those who meet this standard and were enrolled prior to the implementation of this new bill and those that were enrolled after the implementation of the new bill. Those who were enrolled already would be grandfathered in under the current 200% FPL continuing eligibility threshold and those who reapply after the new standards are put in place would be under the new 190% FPL continuing eligibility threshold.

That should do it. Drop me a line if you have any questions.

Sam

01/24/2007



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1538/2

PJK:kjf: [signature]

Wisconsin

DOA:.....Harshner, BB0356 - Eligibility for child care subsidies

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

(in 1-24)

*do not
you cut*

1 AN ACT . . . relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

The Wisconsin Works (W-2) program under current law provides work experience and benefits for low-income custodial parents who are at least 18 years old. Also, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, is eligible for a child care subsidy under the W-2 program if the individual needs child care services to participate in various educational or work activities and satisfies other eligibility criteria. One of those criteria is that the individual's family income may not exceed 185 percent of the poverty line. If an individual is already receiving a child care subsidy, however, their family income may be as high as 200 percent of the poverty line before they lose eligibility. This bill changes those maximum family income levels to 175 percent of poverty for an individual who is first applying for a child care subsidy and to 190 percent of poverty for an individual who is already receiving a subsidy. *Insert A*

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1538/2ins
PJK:kjf:rs

INSERT A

WOTD
These new maximum family income levels only apply to individuals who first apply for a child care subsidy, or who, after losing eligibility, reapply for a child care subsidy, on or after the effective date of the act.

(END OF INSERT A)

INSERT 2-15

1 **SECTION 1.** 49.155 (1m) (c) 1. (intro.) of the statutes is amended to read:

2 49.155 (1m) (c) 1. (intro.) Except as provided in subds. 1g., and 1h., 1m., 2., and
3 3., the gross income of the individual's family is at or below 185% of the poverty line
4 for a family the size of the individual's family or, for an individual who is already
5 receiving a child care subsidy under this section on the effective date of this
6 subdivision [revisor inserts date], the gross income of the individual's family is at
7 or below 200% of the poverty line for a family the size of the individual's family. In
8 calculating the gross income of the family, the Wisconsin works Works agency shall
9 include income described under s. 49.145 (3) (b) 1. and 3., except that, in calculating
10 farm and self-employment income, the Wisconsin works Works agency shall include
11 the sum of the following:

12 History: 1995 a. 289; 1997 a. 27, s. 1766 to 1775, 1838 to 1857; 1997 a. 41, 105, 237, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 165.

12 **SECTION 2.** 49.155 (1m) (c) 1c. of the statutes is created to read:

13 49.155 (1m) (c) 1c. Except as provided in subds. 1g. and 1h., for an individual
14 who, on or after the effective date of this subdivision [revisor inserts date], applies
15 for a child care subsidy under this section or reapplies for a child care subsidy under
16 this section after losing eligibility, the gross income of the individual's family when
17 the individual applies or reapplies is at or below 175 percent of the poverty line for
18 a family the size of the individual's family and, after the individual is already
19 receiving a child care subsidy under this section, the gross income of the individual's

Insert 2-15 cont'd

1 family is at or below 190 percent of the poverty line for a family the size of the
2 individual's family. The Wisconsin Works agency shall calculate the gross income of
3 the family in the same manner as gross income is calculated under subd. 1.

4 **SECTION 3.** 49.155 (1m) (c) 1m. of the statutes is repealed.

5 **SECTION 4.** 49.155 (1m) (c) 2. of the statutes is repealed.

6 **SECTION 5.** 49.155 (1m) (c) 3. of the statutes is repealed.

(END OF INSERT 2-15)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1538/2

PJK:kjf:rs

DOA:.....Harshner, BB0356 - Eligibility for child care subsidies

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

The Wisconsin Works (W-2) program under current law provides work experience and benefits for low-income custodial parents who are at least 18 years old. Also, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, is eligible for a child care subsidy under the W-2 program if the individual needs child care services to participate in various educational or work activities and satisfies other eligibility criteria. One of those criteria is that the individual's family income may not exceed 185 percent of the poverty line. If an individual is already receiving a child care subsidy, however, their family income may be as high as 200 percent of the poverty line before they lose eligibility. This bill changes those maximum family income levels to 175 percent of poverty for an individual who is first applying for a child care subsidy and to 190 percent of poverty for an individual who is already receiving a subsidy. These new maximum family income levels only apply to individuals who first apply for a child care subsidy, or who, after losing eligibility, reapply for a child care subsidy, on or after the effective date of the act.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 49.155 (1m) (c) 1. (intro.) of the statutes is amended to read:

2 49.155 (**1m**) (c) 1. (intro.) Except as provided in subds. 1g., and 1h., 1m., 2., and
3 ~~3., the gross income of the individual's family is at or below 185% of the poverty line~~
4 ~~for a family the size of the individual's family or, for an individual who is already~~
5 ~~receiving a child care subsidy under this section~~ on the effective date of this
6 subdivision [revisor inserts date], the gross income of the individual's family is at
7 or below 200% of the poverty line for a family the size of the individual's family. In
8 calculating the gross income of the family, the Wisconsin works Works agency shall
9 include income described under s. 49.145 (3) (b) 1. and 3., except that, in calculating
10 farm and self-employment income, the Wisconsin works Works agency shall include
11 the sum of the following:

12 **SECTION 2.** 49.155 (1m) (c) 1c. of the statutes is created to read:

13 49.155 (**1m**) (c) 1c. Except as provided in subds. 1g. and 1h., for an individual
14 who, on or after the effective date of this subdivision [revisor inserts date], applies
15 for a child care subsidy under this section or reapplies for a child care subsidy under
16 this section after losing eligibility, the gross income of the individual's family when
17 the individual applies or reapplies is at or below 175 percent of the poverty line for
18 a family the size of the individual's family and, after the individual is already
19 receiving a child care subsidy under this section, the gross income of the individual's
20 family is at or below 190 percent of the poverty line for a family the size of the

1 individual's family. The Wisconsin Works agency shall calculate the gross income of
2 the family in the same manner as gross income is calculated under subd. 1.

3 **SECTION 3.** 49.155 (1m) (c) 1m. of the statutes is repealed.

4 **SECTION 4.** 49.155 (1m) (c) 2. of the statutes is repealed.

5 **SECTION 5.** 49.155 (1m) (c) 3. of the statutes is repealed.

6 (END)