

1 ***-1261/5.310* *-1261/P3.256* SECTION 1121.** 46.51 (4) of the statutes is
2 renumbered 48.986 (4).

3 ***-1261/5.311* *-1261/P3.257* SECTION 1122.** 46.51 (5) of the statutes is
4 renumbered 48.986 (5).

5 ***-0728/6.3* SECTION 1123.** 46.513 of the statutes is repealed.

6 ***-1261/5.312* *-1261/P3.259* SECTION 1124.** 46.515 (title) of the statutes is
7 renumbered 48.983 (title).

8 ***-1261/5.313* *-1261/P3.260* SECTION 1125.** 46.515 (1) (intro.) of the
9 statutes is renumbered 48.983 (1) (intro.).

10 ***-1261/5.314* *-1261/P3.261* SECTION 1126.** 46.515 (1) (a) of the statutes is
11 repealed.

12 ***-1261/5.315* *-1261/P3.262* SECTION 1127.** 46.515 (1) (b) (intro.) of the
13 statutes is renumbered 48.983 (1) (b) (intro.).

14 ***-1261/5.316* *-1261/P3.263* SECTION 1128.** 46.515 (1) (b) 1. (intro.) of the
15 statutes is renumbered 48.983 (1) (b) 1. (intro.).

16 ***-1261/5.317* *-1261/P3.264* SECTION 1129.** 46.515 (1) (b) 1. a. of the
17 statutes is renumbered 48.983 (1) (b) 1. a.

18 ***-1261/5.318* *-1261/P3.265* SECTION 1130.** 46.515 (1) (b) 1. b. of the
19 statutes is renumbered 48.983 (1) (b) 1. b.

20 ***-1261/5.319* *-1261/P3.266* SECTION 1131.** 46.515 (1) (b) 1. c. of the statutes
21 is renumbered 48.983 (1) (b) 1. c. and amended to read:

22 48.983 (1) (b) 1. c. A family that includes a person who has contacted a county
23 department, as defined in s. 48.02 (2g), or an Indian tribe that has been awarded a
24 grant under this section or, in a county having a population of 500,000 or more that
25 has been awarded a grant under this section, the department or a licensed child

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1 welfare agency under contract with the department requesting assistance to prevent
2 abuse or neglect of a child in the person's family and with respect to which an
3 individual responding to the request has determined that all of the conditions in
4 subd. 2. exist.

5 ***-1261/5.320*** ***-1261/P3.267*** SECTION 1132. 46.515 (1) (b) 2. of the statutes
6 is renumbered 48.983 (1) (b) 2.

7 ***-1261/5.321*** ***-1261/P3.268*** SECTION 1133. 46.515 (1) (c) of the statutes is
8 repealed.

9 ***-1261/5.322*** ***-1261/P3.269*** SECTION 1134. 46.515 (1) (cm) of the statutes
10 is renumbered 48.983 (1) (cm).

11 ***-1261/5.323*** ***-1261/P3.270*** SECTION 1135. 46.515 (1) (d) of the statutes is
12 renumbered 48.983 (1) (d).

13 ***-1261/5.324*** ***-1261/P3.271*** SECTION 1136. 46.515 (1) (e) of the statutes is
14 renumbered 48.983 (1) (e).

15 ***-1261/5.325*** ***-1261/P3.272*** SECTION 1137. 46.515 (1) (f) of the statutes is
16 renumbered 48.983 (1) (f).

17 ***-1261/5.326*** ***-1261/P3.273*** SECTION 1138. 46.515 (1) (g) of the statutes is
18 renumbered 48.983 (1) (g).

19 ***-1261/5.327*** ***-1261/P3.274*** SECTION 1139. 46.515 (1) (h) of the statutes is
20 renumbered 48.983 (1) (h).

21 ***-1261/5.328*** ***-1261/P3.275*** SECTION 1140. 46.515 (1) (i) of the statutes is
22 renumbered 48.983 (1) (i).

23 ***-1261/5.329*** ***-1261/P3.276*** SECTION 1141. 46.515 (1) (j) of the statutes is
24 renumbered 48.983 (1) (j).

1 ***-1261/5.330*** ***-1261/P3.277*** **SECTION 1142.** 46.515 (2) of the statutes is
2 renumbered 48.983 (2) and amended to read:

3 48.983 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected
4 by the department under sub. (5) to participate in the program under this section,
5 the department shall award, from the appropriation under s. ~~20.435 (5)~~ 20.437 (2)
6 (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and
7 (am). The minimum amount of a grant is \$10,000. The department shall determine
8 the amount of a grant awarded to a county, other than a county with a population of
9 500,000 or more, or Indian tribe in excess of the minimum amount based on the
10 number of births that are funded by medical assistance under subch. IV of ch. 49 in
11 that county or the reservation of that Indian tribe in proportion to the number of
12 births that are funded by medical assistance under subch. IV of ch. 49 in all of the
13 counties and the reservations of all of the Indian tribes to which grants are awarded
14 under this section. The department shall determine the amount of a grant awarded
15 to a county with a population of 500,000 or more in excess of the minimum amount
16 based on 60% of the number of births that are funded by medical assistance under
17 subch. IV of ch. 49 in that county in proportion to the number of births that are
18 funded by medical assistance under subch. IV of ch. 49 in all of the counties and the
19 reservations of all of the Indian tribes to which grants are awarded under this
20 section.

21 ***-1261/5.331*** ***-1261/P3.280*** **SECTION 1143.** 46.515 (3) of the statutes is
22 renumbered 48.983 (3).

23 ***-1261/5.332*** ***-1261/P3.281*** **SECTION 1144.** 46.515 (4) of the statutes is
24 renumbered 48.983 (4).

1 ***-1261/5.333*** ***-1261/P3.282*** SECTION 1145. 46.515 (5) of the statutes is
2 renumbered 48.983 (5) and amended to read:

3 48.983 (5) SELECTION OF COUNTIES AND INDIAN TRIBES. The department shall
4 provide competitive application procedures for selecting counties and Indian tribes
5 for participation in the program under this section. The department shall establish
6 a method for ranking applicants for selection based on the quality of their
7 applications. In ranking the applications submitted by counties, the department
8 shall give favorable consideration to a county that has indicated under sub. (6) (d)
9 2. that it is willing to use a portion of any moneys distributed to the county under s.
10 46.45 ~~48.565~~ (2) (a) to provide case management services to a medical assistance
11 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family
12 that is a case and that has explained under sub. (6) (d) 2. how the county plans to use
13 that portion of those moneys to promote the provision of those services for the case
14 by using a wraparound process so as to provide those services in a flexible,
15 comprehensive and individualized manner in order to reduce the necessity for
16 court-ordered services. The department shall also provide application requirements
17 and procedures for the renewal of a grant awarded under this section. The
18 application procedures and the renewal application requirements and procedures
19 shall be clear and understandable to the applicants. The department need not
20 promulgate as rules under ch. 227 the application procedures, the renewal
21 application requirements or procedures or the method for ranking applicants
22 established under this subsection.

23 ***-1261/5.334*** ***-1261/P3.283*** SECTION 1146. 46.515 (6) (intro.) of the
24 statutes is renumbered 48.983 (6) (intro.).

1 ***-1261/5.335* *-1261/P3.284* SECTION 1147.** 46.515 (6) (a) of the statutes is
2 renumbered 48.983 (6) (a).

3 ***-1261/5.336* *-1261/P3.285* SECTION 1148.** 46.515 (6) (b) of the statutes is
4 renumbered 48.983 (6) (b).

5 ***-1261/5.337* *-1261/P3.286* SECTION 1149.** 46.515 (6) (c) of the statutes is
6 renumbered 48.983 (6) (c).

7 ***-1261/5.338* *-1261/P3.287* SECTION 1150.** 46.515 (6) (d) (title) of the
8 statutes is renumbered 48.983 (6) (d) (title).

9 ***-1261/5.339* *-1261/P3.288* SECTION 1151.** 46.515 (6) (d) 1. of the statutes
10 is renumbered 48.983 (6) (d) 1.

11 ***-1261/5.340* *-1261/P3.289* SECTION 1152.** 46.515 (6) (d) 2. of the statutes
12 is renumbered 48.983 (6) (d) 2. and amended to read:

13 48.983 (6) (d) 2. The applicant indicates in the grant application whether the
14 applicant is willing to use a portion of any moneys distributed to the applicant under
15 s. 46.45 48.565 (2) (a) to provide case management services to a medical assistance
16 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family
17 that is a case. If the applicant is so willing, the applicant shall explain how the
18 applicant plans to use that portion of those moneys to promote the provision of those
19 services for the case by using a wraparound process so as to provide those services
20 in a flexible, comprehensive and individualized manner in order to reduce the
21 necessity for court-ordered services.

22 ***-1261/5.341* *-1261/P3.290* SECTION 1153.** 46.515 (6) (e) of the statutes is
23 renumbered 48.983 (6) (e).

24 ***-1261/5.342* *-1261/P3.291* SECTION 1154.** 46.515 (6g) of the statutes is
25 renumbered 48.983 (6g).

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1 ***-1261/5.343*** ***-1261/P3.292*** **SECTION 1155.** 46.515 (6m) of the statutes is
2 renumbered 48.983 (6m) and amended to read:

3 **48.983 (6m) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT.**

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

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

6 48.981 (2) about a child in a family to which the person is providing those services,

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

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

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

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

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

12 ***-1261/5.344*** ***-1261/P3.293*** **SECTION 1156.** 46.515 (6r) of the statutes is
13 renumbered 48.983 (6r).

14 ***-1261/5.345*** ***-1261/P3.294*** **SECTION 1157.** 46.515 (7) of the statutes is
15 renumbered 48.983 (7).

16 ***-1261/5.346*** ***-1261/P3.295*** **SECTION 1158.** 46.515 (8) of the statutes is
17 renumbered 48.983 (8).

18 ***-1261/5.347*** ***-1261/P3.296*** **SECTION 1159.** 46.75 (title) of the statutes is
19 renumbered 49.171 (title).

20 ***-1261/5.348*** ***-1261/P3.297*** **SECTION 1160.** 46.75 (1) of the statutes is
21 renumbered 49.171 (1).

22 ***-1261/5.349*** ***-1261/P3.298*** **SECTION 1161.** 46.75 (2) (title) of the statutes
23 is renumbered 49.171 (2) (title).

24 ***-1261/5.350*** ***-1261/P3.299*** **SECTION 1162.** 46.75 (2) (a) of the statutes is
25 renumbered 49.171 (2) (a) and amended to read:

1 49.171 (2) (a) From the appropriation under s. ~~20.435 (5)~~ 20.437 (2) (dn), the
2 department shall award grants to agencies to operate food distribution programs
3 that qualify for participation in the emergency food assistance program under P.L.
4 98-8, as amended.

5 *~~-1261/5.351~~* *~~-1261/P3.300~~* SECTION 1163. 46.75 (2) (b) of the statutes is
6 renumbered 49.171 (2) (b).

7 *~~-1261/5.352~~* *~~-1261/P3.301~~* SECTION 1164. 46.75 (3) of the statutes is
8 renumbered 49.171 (3).

9 *~~-1261/5.353~~* *~~-1261/P3.302~~* SECTION 1165. 46.76 (intro.) of the statutes is
10 renumbered 49.172 (intro.).

****NOTE: This is reconciled s. 46.76 (intro.). This SECTION has been affected by
drafts with the following LRB numbers: -0242 and -1261.

11 *~~-1261/5.354~~* SECTION 1166. 46.76 (1) of the statutes is renumbered 49.172
12 (1).

****NOTE: This is reconciled s. 46.76 (1). This SECTION has been affected by drafts
with the following LRB numbers: -0242 and -1261.

13 *~~-1261/5.355~~* SECTION 1167. 46.76 (2) of the statutes is renumbered 49.172
14 (2).

****NOTE: This is reconciled s. 46.76 (2). This SECTION has been affected by drafts
with the following LRB numbers: -0242 and -1261.

15 *~~-0242/1.5~~* SECTION 1168. 46.76 (4) of the statutes is repealed.

16 *~~-0242/1.6~~* SECTION 1169. 46.76 (5) of the statutes is repealed.

17 *~~-1261/5.356~~* *~~-1261/P3.303~~* SECTION 1170. 46.766 of the statutes is
18 repealed.

19 *~~-1261/5.357~~* *~~-1261/P3.304~~* SECTION 1171. 46.77 of the statutes is
20 renumbered 49.1715 and amended to read:

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1 **49.1715 Food distribution administration.** From the appropriation under
 2 s. ~~20.435 (5)~~ 20.437 (2) (dn), the department shall allocate funds to eligible recipient
 3 agencies, as defined in the emergency food assistance act, P.L. 98-8, section 201A,
 4 as amended, for the storage, transportation, and distribution of commodities
 5 provided under the hunger prevention act of 1988, P.L. 100-435, as amended.

6 *~~-1261/5.358~~* *~~-1261/P3.305~~* **SECTION 1172.** 46.95 (title) of the statutes is
 7 renumbered 49.165 (title).

8 *~~-1261/5.359~~* *~~-1261/P3.306~~* **SECTION 1173.** 46.95 (1) of the statutes is
 9 renumbered 49.165 (1).

10 *~~-1261/5.360~~* *~~-1261/P3.307~~* **SECTION 1174.** 46.95 (2) (title) of the statutes
 11 is renumbered 49.165 (2) (title). \$950,000

12 *~~-1508/3.4~~* **SECTION 1175.** 46.95 (2) (a) of the statutes is amended to read:
 13 46.95 (2) (a) The secretary shall make grants from the appropriations accounts
 14 under s. 20.435 (3) (cd) and (hh) and in each fiscal year \$1,000,000 from the
 15 appropriation account under s. 20.435 (3) (ky) to organizations for the provision of
 16 any of the services specified in sub. (1) (d). Grants may be made to organizations
 17 which have provided those domestic abuse services in the past or to organizations
 18 which propose to provide those services in the future. No grant may be made to fund
 19 services for child or unborn child abuse or abuse of elderly persons.

20 *~~-1261/5.361~~* *~~-1261/P3.308~~* **SECTION 1176.** 46.95 (2) (a) of the statutes, as
 21 affected by 2007 Wisconsin Act ... (this act), is renumbered 49.165 (2) (a) and
 22 amended to read:

23 49.165 (2) (a) The secretary shall make grants from the appropriation accounts
 24 under s. ~~20.435 (3)~~ 20.437 (1) (cd) and (hh) and in each fiscal year \$1,000,000 from
 25 the appropriation account under s. ~~20.435 (3)~~ 20.437 (1) (ky) to organizations for the

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1 provision of any of the services specified in sub. (1) (d). Grants may be made to
2 organizations which have provided those domestic abuse services in the past or to
3 organizations which propose to provide those services in the future. No grant may
4 be made to fund services for child or unborn child abuse or abuse of elderly persons.

****NOTE: This is reconciled s. 46.95 (2) (a). This SECTION has been affected by drafts
with the following LRB numbers: -1261 and -1508.

5 ***-1261/5.362* *-1261/P3.309* SECTION 1177.** 46.95 (2) (b) of the statutes is
6 renumbered 49.165 (2) (b).

7 ***-1261/5.363* *-1261/P3.310* SECTION 1178.** 46.95 (2) (c) of the statutes is
8 renumbered 49.165 (2) (c).

9 ***-1261/5.364* *-1261/P3.311* SECTION 1179.** 46.95 (2) (d) of the statutes is
10 renumbered 49.165 (2) (d).

11 ***-1261/5.365* *-1261/P3.312* SECTION 1180.** 46.95 (2) (e) of the statutes is
12 renumbered 49.165 (2) (e).

13 ***-1261/5.366* *-1261/P3.313* SECTION 1181.** 46.95 (2) (f) (intro.) of the
14 statutes is renumbered 49.165 (2) (f) (intro.) and amended to read:

15 49.165 (2) (f) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cd)
16 and (hh), the department shall do all of the following:

17 ***-1261/5.367* *-1261/P3.314* SECTION 1182.** 46.95 (2) (f) 1. of the statutes is
18 renumbered 49.165 (2) (f) 1.

19 ***-1261/5.368* *-1261/P3.315* SECTION 1183.** 46.95 (2) (f) 5. of the statutes is
20 renumbered 49.165 (2) (f) 5.

21 ***-1261/5.369* *-1261/P3.316* SECTION 1184.** 46.95 (2) (f) 6. of the statutes is
22 renumbered 49.165 (2) (f) 6.

1 ***-1261/5.370* *-1261/P3.317* SECTION 1185.** 46.95 (2) (f) 7. of the statutes is
2 renumbered 49.165 (2) (f) 7.

3 ***-1261/5.371* *-1261/P3.318* SECTION 1186.** 46.95 (2) (f) 8. of the statutes is
4 renumbered 49.165 (2) (f) 8.

5 ***-1261/5.372* *-1261/P3.319* SECTION 1187.** 46.95 (2) (f) 9. of the statutes is
6 renumbered 49.165 (2) (f) 9.

7 ***-1261/5.373* *-1261/P3.320* SECTION 1188.** 46.95 (2) (f) 10. of the statutes
8 is renumbered 49.165 (2) (f) 10.

9 ***-1261/5.374* *-1261/P3.321* SECTION 1189.** 46.95 (2m) of the statutes is
10 renumbered 49.165 (2m).

11 ***-1261/5.375* *-1261/P3.322* SECTION 1190.** 46.95 (3) of the statutes is
12 renumbered 49.165 (3).

13 ***-1261/5.376* *-1261/P3.323* SECTION 1191.** 46.95 (4) of the statutes is
14 renumbered 49.165 (4).

15 ***-0247/1.2* SECTION 1192.** 46.976 of the statutes is repealed.

16 ***-1023/1.1* SECTION 1193.** 46.985 (2) (a) 2. of the statutes is repealed.

17 ***-1023/1.2* SECTION 1194.** 46.985 (2) (f) of the statutes is created to read:

18 46.985 (2) (f) Establish criteria for priority of services that take into account
19 urgency of need, statewide consistency, developmental impact on eligible children,
20 and other factors, so as to ensure that available funds are used consistently and
21 effectively.

22 ***-1261/5.377* *-1261/P3.324* SECTION 1195.** 46.99 (title) of the statutes is
23 renumbered 48.545 (title).

24 ***-1261/5.378* *-1261/P3.325* SECTION 1196.** 46.99 (1) of the statutes is
25 renumbered 48.545 (1).

1 ***-1261/5.379*** ***-1261/P3.326*** SECTION 1197. 46.99 (2) (title) of the statutes
2 is renumbered 48.545 (2) (title).

3 ***-1261/5.380*** ***-1261/P3.327*** SECTION 1198. 46.99 (2) (a) (intro.) of the
4 statutes is renumbered 48.545 (2) (a) (intro.) and amended to read:

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

12 ***-1261/5.381*** ***-1261/P3.328*** SECTION 1199. 46.99 (2) (a) 1. of the statutes
13 is renumbered 48.545 (2) (a) 1.

14 ***-1261/5.382*** ***-1261/P3.329*** SECTION 1200. 46.99 (2) (a) 2. of the statutes
15 is renumbered 48.545 (2) (a) 2.

16 ***-1261/5.383*** ***-1261/P3.330*** SECTION 1201. 46.99 (2) (a) 3. of the statutes
17 is renumbered 48.545 (2) (a) 3.

18 ***-1261/5.384*** ***-1261/P3.331*** SECTION 1202. 46.99 (2) (a) 4. of the statutes
19 is renumbered 48.545 (2) (a) 4.

20 ***-1261/5.385*** ***-1261/P3.332*** SECTION 1203. 46.99 (2) (a) 5. of the statutes
21 is renumbered 48.545 (2) (a) 5.

22 ***-1261/5.386*** ***-1261/P3.333*** SECTION 1204. 46.99 (2) (b) of the statutes is
23 renumbered 48.545 (2) (b).

24 ***-1261/5.387*** ***-1261/P3.334*** SECTION 1205. 46.99 (3) of the statutes is
25 renumbered 48.545 (3).

SECTION 1206

1 *-1261/5.388* *-1261/P3.335* SECTION 1206. 46.995 (title) of the statutes is
2 renumbered 48.487 (title).

3 *-1261/5.389* *-1261/P3.336* SECTION 1207. 46.995 (1m) of the statutes is
4 renumbered 48.487 (1m) and amended to read:

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

8 *-1261/5.390* *-1261/P3.337* SECTION 1208. 46.995 (2) of the statutes is
9 renumbered 48.487 (2).

10 *-1261/5.391* *-1261/P3.338* SECTION 1209. 46.995 (3) of the statutes is
11 renumbered 48.487 (3).

12 *-1261/5.392* *-1261/P3.339* SECTION 1210. 46.995 (4m) of the statutes is
13 renumbered 48.487 (4m).

14 *-1261/5.393* *-1261/P3.340* SECTION 1211. 46.997 (title) of the statutes is
15 renumbered 48.647 (title).

16 *-1261/5.394* *-1261/P3.341* SECTION 1212. 46.997 (1) of the statutes is
17 renumbered 48.647 (1).

18 *-1261/5.395* *-1261/P3.342* SECTION 1213. 46.997 (2) (title) of the statutes
19 is renumbered 48.647 (2) (title).

20 *-1261/5.396* *-1261/P3.343* SECTION 1214. 46.997 (2) (a) of the statutes is
21 renumbered 48.647 (2) (a) and amended to read:

22 48.647 (2) (a) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (f), the
23 department shall distribute not more than \$0 in each fiscal year as grants to private
24 agencies to provide 2nd-chance homes and related services to eligible persons who
25 are placed under s. 48.63 (5) in 2nd-chance homes operated by those private

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

10 *~~1261/5.397~~* *~~1261/P3.344~~* SECTION 1215. 46.997 (2) (b) of the statutes is
11 renumbered 48.647 (2) (b) and amended to read:

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

1 children who are voluntarily placed in a 2nd-chance home as well as for children who
2 are placed in a 2nd-chance home by court order.

3 ***-1261/5.398* *-1261/P3.345* SECTION 1216.** 46.997 (2) (c) of the statutes is
4 renumbered 48.647 (2) (c).

5 ***-1261/5.399* *-1261/P3.346* SECTION 1217.** 46.997 (2) (d) of the statutes is
6 renumbered 48.647 (2) (d).

7 ***-1261/5.400* *-1261/P3.347* SECTION 1218.** 46.997 (2) (e) of the statutes is
8 renumbered 48.647 (2) (e).

9 ***-1261/5.401* *-1261/P3.348* SECTION 1219.** 46.997 (3) of the statutes is
10 renumbered 48.647 (3).

11 ***-1261/5.402* *-1261/P3.349* SECTION 1220.** 46.997 (4) of the statutes is
12 renumbered 48.647 (4) and amended to read:

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

23 ***-1261/5.403* *-1261/P3.350* SECTION 1221.** 48.01 (1) (h) of the statutes is
24 created to read:

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

6 *-1261/5.404* *-1261/P3.351* SECTION 1222. 48.02 (4) of the statutes is
7 amended to read:

8 48.02 (4) "Department" means the department of health and family services
9 children and families.

10 *-1261/5.405* *-1261/P3.352* SECTION 1223. 48.02 (16) of the statutes is
11 created to read:

12 48.02 (16) "Secretary" means the secretary of children and families.

13 *-1261/5.406* *-1261/P3.353* SECTION 1224. 48.06 (4) of the statutes is
14 amended to read:

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

23 *-0261/6.1* SECTION 1225. 48.21 (5) (b) 1. of the statutes is renumbered 48.21
24 (5) (b) 1. a. and amended to read:

1 48.21 (5) (b) 1. a. A finding that continued placement of the child in his or her
2 home would be contrary to the welfare of the child. Unless the judge or circuit court
3 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to
4 5. applies, the order shall in addition include a

5 b. A finding as to whether the person who took the child into custody and the
6 intake worker have made reasonable efforts to prevent the removal of the child from
7 the home, while assuring that the child's health and safety are the paramount
8 concerns, and a unless the judge or circuit court commissioner finds that any of the
9 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

10 c. A finding as to whether the person who took the child into custody and the
11 intake worker have made reasonable efforts to make it possible for the child to return
12 safely home or, if,

13 1m. If for good cause shown sufficient information is not available for the judge
14 or circuit court commissioner to make a finding as to whether these reasonable
15 efforts were made to prevent the removal of the child from the home, while assuring
16 that the child's health and safety are the paramount concerns, a finding as to
17 whether those reasonable efforts were made to make it possible for the child to return
18 safely home and an order for the county department, department, in a county having
19 a population of 500,000 or more, or agency primarily responsible for providing
20 services to the child under the custody order to file with the court sufficient
21 information for the judge or circuit court commissioner to make a finding as to
22 whether those reasonable efforts were made to prevent the removal of the child from
23 the home by no later than 5 days, excluding Saturdays, Sundays, and legal holidays,
24 after the date of on which the order is granted.

25 *-0261/6.2* SECTION 1226. 48.21 (5) (b) 1. d. of the statutes is created to read:

1 48.21 (5) (b) 1. d. If the child is under the supervision of the county department
2 or, in a county having a population of 500,000 or more, the department, an order
3 ordering the child into the placement and care responsibility of the county
4 department or department as required under 42 USC 672 (a) (2) and assigning the
5 county department or department primary responsibility for providing services to
6 the child.

7 ***-0261/6.3* SECTION 1227.** 48.21 (5) (c) of the statutes is amended to read:

8 48.21 (5) (c) The judge or circuit court commissioner shall make the findings
9 specified in par. (b) 1., 1m., and 3. on a case-by-case basis based on circumstances
10 specific to the child and shall document or reference the specific information on
11 which those findings are based in the custody order. A custody order that merely
12 references par. (b) 1., 1m., or 3. without documenting or referencing that specific
13 information in the custody order or an amended custody order that retroactively
14 corrects an earlier custody order that does not comply with this paragraph is not
15 sufficient to comply with this paragraph.

16 ***-0261/6.4* SECTION 1228.** 48.235 (4) (b) of the statutes is amended to read:

17 48.235 (4) (b) The court shall order the agency identified under s. 48.355 (2) (b)
18 ~~1. 48.33 (1) (c)~~ as primarily responsible for the provision of services to notify the
19 guardian ad litem, if any, regarding actions to be taken under par. (a).

20 ***-0261/6.5* SECTION 1229.** 48.235 (4m) (b) of the statutes is amended to read:

21 48.235 (4m) (b) The court shall order the agency identified under s. 48.355 (2)
22 ~~(b) 1. 48.33 (1) (c)~~ as primarily responsible for the provision of services to notify the
23 guardian ad litem, if any, regarding actions to be taken under par. (a).

24 ***-1261/5.407* *-1261/P3.354* SECTION 1230.** 48.275 (2) (d) 2. of the statutes
25 is amended to read:

1 48.275 (2) (d) 2. In a county having a population of 500,000 or more,
2 reimbursement payments shall be made to the clerk of courts of the county where the
3 proceedings took place. Each payment shall be transmitted to the secretary of
4 administration, who shall deposit the amount paid in the general fund and credit
5 25% of the amount paid to the appropriation account under s. ~~20.435(3)~~ 20.437 (1)
6 (gx) and the remainder to the appropriation account under s. 20.550 (1) (L).

7 *~~-1261/5.408~~* *~~-1261/P3.355~~* SECTION 1231. 48.30 (6) (b) of the statutes is
8 amended to read:

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

20 *~~-1261/5.409~~* *~~-1261/P3.356~~* SECTION 1232. 48.31 (7) (b) of the statutes is
21 amended to read:

22 48.31 (7) (b) If it appears to the court that disposition of the case may include
23 placement of the child outside the child's home, the court shall order the child's
24 parent to provide a statement of income, assets, debts, and living expenses to the
25 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled

1 date of the dispositional hearing or as otherwise ordered by the court. The clerk of
2 court shall provide, without charge, to any parent ordered to provide a statement of
3 income, assets, debts, and living expenses a document setting forth the percentage
4 standard established by the department of workforce development under s. 49.22 (9)
5 and the manner of its application established by the department of health and family
6 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
7 consider under s. ~~46.10~~ 49.345 (14) (c).

8 ***-0261/6.6* SECTION 1233.** 48.315 (2m) (a) 1. of the statutes is amended to
9 read:

10 48.315 (2m) (a) 1. The court making an initial finding under s. 48.21 (5) (b) 1.
11 or 1m., 48.355 (2) (b) 6., or 48.357 (2v) (a) 1. that reasonable efforts have been made
12 to prevent the removal of the child from the home, while assuring that the child's
13 health and safety are the paramount concerns, or an initial finding under s. 48.21
14 (5) (b) 3., 48.355 (2) (b) 6r., or 48.357 (2v) (a) 3. that those efforts were not required
15 to be made because a circumstance specified in s. 48.355 (2d) (b) 1. to 5. applies, more
16 than 60 days after the date on which the child was removed from the home.

17 ***-0261/6.7* SECTION 1234.** 48.32 (1) (b) 1. of the statutes is renumbered 48.32
18 (1) (b) 1. (intro.) and amended to read:

19 48.32 (1) (b) 1. (intro.) If at the time the consent decree is entered into the child
20 is placed outside the home under a voluntary agreement under s. 48.63 or is
21 otherwise living outside the home without a court order and if the consent decree
22 maintains the child in that placement or other living arrangement, the consent
23 decree shall include ~~a~~ all of the following:

24 a. A finding that placement of the child in his or her home would be contrary
25 to the welfare of the child, ~~a.~~

1 b. A finding as to whether the county department, the department, in a county
2 having a population of 500,000 or more, or the agency primarily responsible for
3 providing services to the child has made reasonable efforts to prevent the removal
4 of the child from the home, while assuring that the child's health and safety are the
5 paramount concerns, unless the judge or circuit court commissioner finds that any
6 of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, ~~and a.~~

7 c. A finding as to whether the county department, department, or agency has
8 made reasonable efforts to achieve the goal of the child's permanency plan, unless
9 return of the child to the home is the goal of the permanency plan and the judge or
10 circuit court commissioner finds that any of the circumstances specified in s. 48.355
11 (2d) (b) 1. to 5. applies.

12 ***-0261/6.8*** SECTION 1235. 48.32 (1) (b) 1. d. of the statutes is created to read:

13 48.32 (1) (b) 1. d. If the child's placement or other living arrangement is under
14 the supervision of the county department or, in a county having a population of
15 500,000 or more, the department, an order ordering the child into the placement and
16 care responsibility of the county department or department as required under 42
17 USC 672 (a) (2) and assigning the county department or department primary
18 responsibility for providing services to the child.

19 ***-1261/5.410*** ***-1261/P3.357*** SECTION 1236. 48.33 (4m) (intro.) of the
20 statutes is amended to read:

21 48.33 (4m) SUPPORT RECOMMENDATIONS; INFORMATION TO PARENTS. (intro.) In
22 making a recommendation for an amount of child support under sub. (4), the agency
23 shall consider the factors that the court considers under s. ~~46.10~~ 49.345 (14) (c) for
24 deviation from the percentage standard. Prior to the dispositional hearing under s.
25 48.335, the agency shall provide the child's parent with all of the following:

1 ***-1261/5.411*** ***-1261/P3.358*** SECTION 1237. 48.33 (4m) (b) of the statutes is
2 amended to read:

3 48.33 (4m) (b) A written explanation of how the parent may request that the
4 court modify the amount of child support under s. 46.10 ~~49.345~~ (14) (c).

5 ***-0261/6.9*** SECTION 1238. 48.335 (3g) of the statutes is renumbered 48.335
6 (3g) (intro.) and amended to read:

7 48.335 (3g) (intro.) At hearings under this section, if the agency, as defined in
8 s. 48.38 (1) (a), is recommending placement of the child in a foster home, treatment
9 foster home, group home, or residential care center for children and youth or in the
10 home of a relative other than a parent, the agency shall present as evidence specific
11 information showing that all of the following:

12 (a) That continued placement of the child in his or her home would be contrary
13 to the welfare of the child, ~~specific information showing that~~.

14 (b) That the county department, the department, in a county having a
15 population of 500,000 or more, or the agency primarily responsible for providing
16 services to the child has made reasonable efforts to prevent the removal of the child
17 from the home, while assuring that the child's health and safety are the paramount
18 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.
19 applies, ~~and specific information showing that~~.

20 (c) That the county department, department, or agency has made reasonable
21 efforts to achieve the goal of the child's permanency plan, unless return of the child
22 to the home is the goal of the permanency plan and any of the circumstances specified
23 in s. 48.355 (2d) (b) 1. to 5. applies.

24 ***-0261/6.10*** SECTION 1239. 48.355 (2) (b) 1. of the statutes is amended to read:

1 48.355 (2) (b) 1. The specific services ~~or continuum of services~~ to be provided
2 to the child and family, to the child expectant mother and family, or to the adult
3 expectant mother, ~~the identity of the agencies which are to be primarily responsible~~
4 ~~for the provision of the services ordered by the judge, the identity of the person or~~
5 ~~agency who will provide case management or coordination of services, if any, and, if~~
6 custody of the child is to be transferred to effect the treatment plan, the identity of
7 the legal custodian.

8 *~~0261/6.11~~* SECTION 1240. 48.355 (2) (b) 6g. of the statutes is created to read:

9 48.355 (2) (b) 6g. If the child is placed outside the home under the supervision
10 of the county department or, in a county having a population of 500,000 or more, the
11 department, an order ordering the child into the placement and care responsibility
12 of the county department or department as required under 42 USC 672 (a) (2) and
13 assigning the county department or department primary responsibility for providing
14 services to the child.

15 *~~0261/6.12~~* SECTION 1241. 48.357 (1) (am) 3. of the statutes is amended to
16 read:

17 48.357 (1) (am) 3. If the court changes the child's placement from a placement
18 outside the home to another placement outside the home, the change in placement
19 order shall contain ~~one of the statements~~ the applicable order specified in sub. (2v)
20 (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

21 *~~0261/6.13~~* SECTION 1242. 48.357 (1) (c) 3. of the statutes is amended to read:

22 48.357 (1) (c) 3. If the court changes the child's placement from a placement in
23 the child's home to a placement outside the child's home, the change in placement
24 order shall contain the findings specified in sub. (2v) (a) 1., ~~one of the statements~~ the
25 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in

1 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances
2 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the
3 determination specified in sub. (2v) (a) 3.

4 ***-0261/6.14* SECTION 1243.** 48.357 (2m) (c) of the statutes is amended to read:

5 **48.357 (2m) (c)** If the court changes the child's placement from a placement in
6 the child's home to a placement outside the child's home, the change in placement
7 order shall contain the findings specified in sub. (2v) (a) 1., one of the statements the
8 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in
9 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances
10 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the
11 determination specified in sub. (2v) (a) 3. If the court changes the child's placement
12 from a placement outside the home to another placement outside the home, the
13 change in placement order shall contain the applicable order specified in sub. (2v)
14 (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

15 ***-0261/6.15* SECTION 1244.** 48.357 (2v) (a) 1m. of the statutes is created to
16 read:

17 **48.357 (2v) (a) 1m.** If the change in placement order changes the placement of
18 a child who is under the supervision of the county department or, in a county having
19 a population of 500,000 or more, the department to a placement outside the child's
20 home, whether from a placement in the home or from another placement outside the
21 home, an order ordering the child into, or to be continued in, the placement and care
22 responsibility of the county department or department as required under 42 USC
23 672 (a) (2) and assigning the county department or department primary
24 responsibility, or continued primary responsibility, for providing services to the
25 child.

1 *~~-1261/5.412~~* *~~-1261/P3.359~~* SECTION 1245. 48.357 (5m) (a) of the statutes
2 is amended to read:

3 48.357 (5m) (a) If a proposed change in placement changes a child's placement
4 from a placement in the child's home to a placement outside the child's home, the
5 court shall order the child's parent to provide a statement of income, assets, debts
6 and living expenses to the court or the person or agency primarily responsible for
7 implementing the dispositional order by a date specified by the court. The clerk of
8 court shall provide, without charge, to any parent ordered to provide a statement of
9 income, assets, debts, and living expenses a document setting forth the percentage
10 standard established by the department of workforce development under s. 49.22 (9)
11 and the manner of its application established by the department of health and family
12 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
13 consider under s. ~~46.10~~ 49.345 (14) (c). If the child is placed outside the child's home,
14 the court shall determine the liability of the parent in the manner provided in s. ~~46.10~~
15 49.345 (14).

16 *~~-1261/5.413~~* *~~-1261/P3.360~~* SECTION 1246. 48.36 (1) (a) of the statutes is
17 amended to read:

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

1 the agency or person may apply to the court for an order to compel the parent or
2 guardian to provide the support. Support payments for residential services, when
3 purchased or otherwise funded or provided by the department or a county
4 department under s. 46.22, 46.23, 51.42 or 51.437, shall be determined under s. 46.10
5 49.345 (14). Support payments for residential services, when purchased or otherwise
6 funded by the department of health and family services or a county department
7 under s. 51.42 or 51.437, shall be determined under s. 46.10 (14).

8 *~~1261/5.414~~* *~~1261/P3.361~~* SECTION 1247. 48.36 (1) (b) of the statutes is
9 amended to read:

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

19 *~~1261/5.415~~* *~~1261/P3.362~~* SECTION 1248. 48.36 (2) of the statutes is
20 amended to read:

21 48.36 (2) If an expectant mother or a child whose legal custody has not been
22 taken from a parent or guardian is given educational and social services, or medical,
23 psychological or psychiatric treatment by order of the court, the cost of those services
24 or that treatment, if ordered by the court, shall be a charge upon the county in a
25 county having a population of less than 500,000 or the department in a county having

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1 a population of 500,000 or more. This section does not prevent recovery of reasonable
2 contribution toward the costs from the parent or guardian of the child or from an
3 adult expectant mother as the court may order based on the ability of the parent,
4 guardian or adult expectant mother to pay. This subsection shall be subject to s.
5 ~~46.03 (18)~~ 49.32 (1).

6 ***-1261/5.416* *-1261/P3.363* SECTION 1249.** 48.361 (2) (c) of the statutes is
7 amended to read:

8 48.361 (2) (c) Payment for alcohol and other drug abuse services by a county
9 department under this section does not prohibit the county department from
10 contracting with another county department or approved treatment facility for the
11 provision of alcohol and other drug abuse services. Payment by the county under this
12 section does not prevent recovery of reasonable contribution toward the costs of the
13 court-ordered alcohol and other drug abuse services from the parent or adult
14 expectant mother which is based upon the ability of the parent or adult expectant
15 mother to pay. This subsection is subject to s. ~~46.03 (18)~~ 49.32 (1).

16 ***-1261/5.417* *-1261/P3.364* SECTION 1250.** 48.362 (4) (c) of the statutes is
17 amended to read:

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

23 ***-1261/5.418* *-1261/P3.365* SECTION 1251.** 48.363 (1) (c) of the statutes is
24 amended to read:

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

12 *~~1261/5.419~~* *~~1261/P3.366~~* SECTION 1252. 48.363 (2) of the statutes is
13 amended to read:

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

19 *~~0261/6.16~~* SECTION 1253. 48.38 (2) (intro.) of the statutes is amended to
20 read:

21 48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),
22 for each child living in a foster home, treatment foster home, group home, residential
23 care center for children and youth, juvenile detention facility, or shelter care facility,
24 the agency that placed the child or arranged the placement or the agency assigned
25 primary responsibility for providing services to the child under s. 48.355 (2) (b) 6g.

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1 shall prepare a written permanency plan, if any of the following conditions exists,
2 and, for each child living in the home of a relative other than a parent, that agency
3 shall prepare a written permanency plan, if any of the conditions specified in pars.
4 (a) to (e) exists:

5 ***-0261/6.17* SECTION 1254.** 48.417 (2) (c) of the statutes is amended to read:

6 48.417 (2) (c) The agency primarily responsible for providing services to the
7 child and the family under a court order, if required under s. 48.355 (2) (b) 6. to make
8 reasonable efforts to make it possible for the child to return safely to his or her home,
9 has not provided to the family of the child, consistent with the time period in the
10 child's permanency plan, the services necessary for the safe return of the child to his
11 or her home.

12 ***-0261/6.18* SECTION 1255.** 48.425 (1) (c) of the statutes is amended to read:

13 48.425 (1) (c) If the child has been previously adjudicated to be in need of
14 protection and services, a statement of the steps the agency or person responsible for
15 provision of services has taken to remedy the conditions responsible for court
16 intervention and the parent's response to and cooperation with these services. If the
17 child has been removed from the home, the report ~~should~~ shall also include a
18 statement of the reasons why the child cannot be returned safely to the family, and
19 the steps the person or agency has taken to effect this return. If a permanency plan
20 has previously been prepared for the child, the report shall also include specific
21 information showing that the agency primarily responsible for providing services to
22 the child has made reasonable efforts to achieve the goal of the child's permanency
23 plan.

24 ***-0261/6.19* SECTION 1256.** 48.43 (1) (am) of the statutes is created to read:

1 48.43 (1) (am) If the department or a county department receives guardianship
2 or custody of the child under par. (a), an order ordering the child into the placement
3 and care responsibility of the department or county department as required under
4 42 USC 672 (a) (2) and assigning the department or county department primary
5 responsibility for providing services to the child.

6 ***-0261/6.20* SECTION 1257.** 48.43 (1) (cm) of the statutes is created to read:

7 48.43 (1) (cm) If a permanency plan has previously been prepared for the child,
8 a finding as to whether the agency primarily responsible for providing services to the
9 child has made reasonable efforts to achieve the goal of the child's permanency plan.
10 The court shall make the findings specified in this paragraph on a case-by-case basis
11 based on circumstances specific to the child and shall document or reference the
12 specific information on which those findings are based in the order. An order that
13 merely references this paragraph without documenting or referencing that specific
14 information in the order or an amended order that retroactively corrects an earlier
15 order that does not comply with this paragraph is not sufficient to comply with this
16 paragraph.

17 ***-1261/5.420* *-1261/P3.367* SECTION 1258.** Subchapter XI (title) of chapter
18 48 [precedes 48.47] of the statutes is amended to read:

19 **CHAPTER 48**

20 **SUBCHAPTER XI**

21 **DUTIES AND AUTHORITY OF DEPARTMENT**

22 ***-1261/5.421* *-1261/P3.368* SECTION 1259.** 48.47 (intro.) of the statutes is
23 created to read:

24 **48.47 Duties of department.** (intro.) The department shall do all of the
25 following:

1 ***-1261/5.422* *-1261/P3.369* SECTION 1260.** 48.47 (3) of the statutes is
2 created to read:

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

6 ***-1261/5.423* *-1261/P3.370* SECTION 1261.** 48.47 (4) of the statutes is
7 created to read:

8 **48.47 (4) EDUCATION AND PREVENTION.** Develop and maintain education and
9 prevention programs that the department considers to be proper.

10 ***-1261/5.424* *-1261/P3.371* SECTION 1262.** 48.47 (7) (title) of the statutes
11 is created to read:

12 **48.47 (7) (title) CHILDREN AND YOUTH.**

13 ***-1261/5.425* *-1261/P3.372* SECTION 1263.** 48.48 (2b) of the statutes is
14 created to read:

15 **48.48 (2b)** To accept gifts, grants, or donations of money or of property from
16 private sources to be administered by the department for the execution of its
17 functions. All moneys so received shall be paid into the general fund and may be
18 appropriated from that fund as provided in s. 20.437 (1) (i).

19 ***-1261/5.426* *-1261/P3.373* SECTION 1264.** 48.48 (4) of the statutes is
20 created to read:

21 **48.48 (4)** In order to discharge more effectively its responsibilities under this
22 chapter and other relevant provisions of the statutes, to study causes and methods
23 of prevention and treatment of problems among children and families and related
24 social problems. The department may utilize all powers provided by the statutes,
25 including the authority to accept grants of money or property from federal, state, or

1 private sources, and enlist the cooperation of other appropriate agencies and state
2 departments.

3 ***-1261/5.427* *-1261/P3.374* SECTION 1265.** 48.48 (12) (a) of the statutes is
4 amended to read:

5 48.48 (12) (a) To enter into an agreement to assist in the cost of care of a child
6 after legal adoption when the department has determined that such assistance is
7 necessary to assure the child's adoption. Agreements under this paragraph shall be
8 made in accordance with s. 48.975. Payments shall be made from the appropriation
9 under s. ~~20.435 (3)~~ 20.437 (1) (dd).

10 ***-1261/5.428* *-1261/P3.375* SECTION 1266.** 48.48 (17) (am) of the statutes
11 is created to read:

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

15 ***-1261/5.429* *-1261/P3.376* SECTION 1267.** 48.48 (17) (c) (intro.) of the
16 statutes is amended to read:

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

20 ***-1261/5.430* *-1261/P3.377* SECTION 1268.** 48.48 (17) (c) 3. of the statutes
21 is amended to read:

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

SECTION 1269

1 *-1261/5.431* *-1261/P3.378* SECTION 1269. 48.48 (17) (d) of the statutes is
2 amended to read:

3 48.48 (17) (d) The funding provided for the maintenance of a child under par.
4 (c) shall be in an amount equal to that which the child would receive under s. 20.435
5 (3) 20.437 (1) (cx), (gx), (kw), and (mx) or 46.495 48.569 (1) (d) if the child were 17
6 years of age.

7 *-1261/5.432* *-1261/P3.379* SECTION 1270. 48.48 (18) of the statutes is
8 created to read:

9 48.48 (18) To contract with public or voluntary agencies or others for the
10 following purposes:

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

*del of the statute
(a) To provide*

14 (b) To purchase or provide in full or in part the care and services that county
15 agencies may provide or purchase under any statute and to sell to county agencies
16 such portions of that care and those services as the county agency may desire to
17 purchase.

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

The following amounts

20 *-1508/3.5* SECTION 1271. 48.543 of the statutes is created to read:

21 48.543 Services for children and families. (1) From the appropriation
22 account under s. 20.435 (3) (ky), the department shall distribute ~~\$250,000~~
23 fiscal year in Milwaukee County to organizations that provide gender-responsive
24 alcohol and other drug abuse treatment, case management, child and family
25 services, and educational services to drug dependent women with children.

*To provide # (b) Services to aid youth in making the transition from foster care to independent living
, \$50,000*

\$250,000

1 (2) From the appropriation account under s. 20.435 (3) (kz), the department
2 shall distribute \$500,000 in each fiscal year for comprehensive early childhood
3 initiatives in Dane County that provide home visiting and employment preparation
4 and support for low-income families.

 ****NOTE: This is reconciled s. 48.543. This SECTION has been affected by drafts
with the following LRB numbers: -0728/4, -1508/2, and -1261/2.

5 ***-1261/5.433*** ***-1508/2.6*** SECTION 1272. 48.543 (1) of the statutes, as created
6 by 2007 Wisconsin Act ... (this act), is amended to read:

7 48.543 (1) From the appropriation account under s. ~~20.435 (3)~~ 20.437 (1) (ky),
8 the department shall distribute \$250,000 in each fiscal year in Milwaukee County
9 to organizations that provide gender-responsive alcohol and other drug abuse
10 treatment, case management, child and family services, and educational services to
11 drug dependent women with children.

 ****NOTE: This is reconciled s. 48.543 (1). This SECTION has been affected by drafts
with the following LRB numbers: -1261 and -1508.

12 ***-1261/5.434*** ***-1508/2.7*** SECTION 1273. 48.543 (2) of the statutes, as created
13 by 2007 Wisconsin Act ... (this act), is amended to read:

14 48.543 (2) From the appropriation account under s. ~~20.435~~ 20.437 (1) (kz), the
15 department shall distribute \$500,000 in each fiscal year for comprehensive early
16 childhood initiatives in Dane County that provide home visiting and employment
17 preparation and support for low-income families.

 ****NOTE: This is reconciled s. 48.543 (2). This SECTION has been affected by drafts
with the following LRB numbers: -1261 and -1508.

18 ***-1261/5.435*** ***-1261/P3.380*** SECTION 1274. 48.547 (2) of the statutes is
19 amended to read:

20 48.547 (2) DEPARTMENT RESPONSIBILITIES. Within the availability of funding
21 under s. ~~20.435 (7)~~ 20.437 (1) (mb) that is available for the program, the department

1 shall select counties to participate in the program. Unless a county department of
2 human services has been established under s. 46.23 in the county that is seeking to
3 implement a program, the application submitted to the department shall be a joint
4 application by the county department that provides social services and the county
5 department established under s. 51.42 or 51.437. The department shall select
6 counties in accordance with the request for proposal procedures established by the
7 department. The department shall give a preference to county applications that
8 include a plan for case management.

9 ***-1261/5.436* *-1261/P3.381* SECTION 1275.** 48.55 (1) of the statutes is
10 amended to read:

11 48.55 (1) The department shall establish a state adoption information
12 exchange for the purpose of finding adoptive homes for children with special needs
13 who do not have permanent homes and a state adoption center for the purposes of
14 increasing public knowledge of adoption and promoting to adolescents and pregnant
15 women the availability of adoption services. From the appropriation under s. 20.435
16 ~~(3) 20.437 (1) (dg)~~, the department may provide ~~not more than \$163,700 in fiscal year~~
17 ~~2001-02 and not more than \$171,300 in each fiscal year thereafter~~ as grants to
18 individuals and private agencies to provide adoption information exchange services
19 and to operate the state adoption center.

20 ***-1261/5.437* *-1261/P3.382* SECTION 1276.** 48.561 (3) (a) 1. of the statutes
21 is amended to read:

22 48.561 (3) (a) 1. Through a reduction of \$37,209,200 from the amount amounts
23 distributed to that county under s. ss. 46.40 (2) and 48.563 (2) in each state fiscal year.

24 ***-1261/5.438* *-1261/P3.383* SECTION 1277.** 48.561 (3) (b) of the statutes is
25 amended to read:

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

14 *~~1261/5.439~~* *~~1261/P3.384~~* SECTION 1278. 48.563 of the statutes is created
15 to read:

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

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

SECTION 1278

1 (2) BASIC COUNTY ALLOCATION. For children and family services under s. 48.569

2 (1)(d), the department shall distribute not more than \$67,265,000 in each fiscal year.

3 *~~1261/5.440~~* *~~1261/P3.385~~* SECTION 1279. 48.565 of the statutes is created
4 to read:

5 **48.565 Carry-over of children and family aids funds.** Funds allocated by
6 the department under s. 48.569 (1) (d) but not spent or encumbered by counties,
7 governing bodies of federally recognized American Indian tribes, or private nonprofit
8 organizations by December 31 of each year and funds recovered under s. 48.569 (2)
9 (b) and deposited into the appropriation account under s. 20.437 (1) (b) lapse to the
10 general fund on the succeeding January 1 unless carried forward to the next calendar
11 year under s. 20.437 (1) (b) or as follows:

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

23 (6) The department may carry forward 10 percent of any funds specified in sub.
24 (3) that are not carried forward under sub. (3) for emergencies, for justifiable unit
25 services costs above planned levels, and for increased costs due to population shifts.

1 An allocation of carried-forward funding under this subsection does not affect a
2 county's base allocation under s. 48.563 (2).

3 ~~*-1261/5.441*~~~~*-1261/P3.386*~~ SECTION 1280. 48.567 of the statutes is created
4 to read:

5 **48.567 Expenditure of income augmentation services receipts. (1)**

6 From the appropriation account under s. 20.437 (3) (mp), the department shall
7 support costs that are exclusively related to the ongoing and recurring operational
8 costs of augmenting the amount of moneys received under 42 USC 670 to 679a and
9 to any other purpose provided for by the legislature by law or in budget
10 determinations. In addition, the department may expend moneys from the
11 appropriation account under s. 20.437 (3) (mp) as provided in subs. (1m) and (2).

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

1 reviewing the plan, the department may implement the plan only with the approval
2 of the committee.

3 ***-1261/5.442* *-1261/P3.387* SECTION 1281.** 48.568 of the statutes is created
4 to read:

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

21 ***-1261/5.443* *-1261/P3.388* SECTION 1282.** 48.569 of the statutes is created
22 to read:

23 **48.569 Distribution of children and family aids funds to counties. (1)**
24 (am) The department shall reimburse each county from the appropriations under

1 s. 20.437 (1) (b) and (o) for children and family services as approved by the
2 department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

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

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

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

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

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

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

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

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

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

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

1 the appropriate standing committees under s. 13.172 (3) on funds recovered and paid
2 out during the previous calendar year as a result of audit adjustments.

3 ***-1261/5.444* *-1261/P3.389* SECTION 1283.** 48.57 (1) (g) of the statutes is
4 amended to read:

5 48.57 (1) (g) Upon request of the department of health and family services or
6 the department of corrections, to provide service for any child or expectant mother
7 of an unborn child in the care of those departments.

8 ***-1261/5.445* *-1261/P3.390* SECTION 1284.** 48.57 (3) (a) 3. (intro.) of the
9 statutes is amended to read:

10 48.57 (3) (a) 3. (intro.) Received funding under s. 48.569 (1) (d) or under s.
11 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday; and

12 ***-1261/5.446* *-1261/P3.391* SECTION 1285.** 48.57 (3) (b) of the statutes is
13 amended to read:

14 48.57 (3) (b) The funding provided for the maintenance of a child under par. (a)
15 shall be in an amount equal to that which the child would receive under s. 46.495
16 48.569 (1) (d) if the child were 17 years of age.

17 ***-1261/5.447* *-1261/P3.392* SECTION 1286.** 48.57 (3m) (am) (intro.) of the
18 statutes is amended to read:

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

1 *-0905/3.21* SECTION 1287. 48.57 (3m) (e) of the statutes is amended to read:

2 48.57 (3m) (e) The department shall determine whether the child is eligible

3 for medical assistance under ss. 49.43 to 49.47 49.471.

4 *-1261/5.448* *-1261/P3.393* SECTION 1288. 48.57 (3n) (am) (intro.) of the
5 statutes is amended to read:

6 48.57 (3n) (am) (intro.) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)

7 (kc), the department shall reimburse counties having populations of less than

8 500,000 for payments made under this subsection and shall make payments under

9 this subsection in a county having a population of 500,000 or more. A county

10 department and, in a county having a population of 500,000 or more, the department

11 shall make monthly payments for each child in the amount specified in sub. (3m)

12 (am) (intro.) to a long-term kinship care relative who is providing care and

13 maintenance for that child if all of the following conditions are met:

14 *-0905/3.22* SECTION 1289. 48.57 (3n) (e) of the statutes is amended to read:

15 48.57 (3n) (e) The department shall determine whether the child is eligible for

16 medical assistance under ss. 49.43 to 49.47 49.471.

17 *-1261/5.449* *-1261/P3.394* SECTION 1290. 48.57 (3p) (b) 1. of the statutes
18 is amended to read:

19 48.57 (3p) (b) 1. After receipt of an application for payments under sub. (3m)

20 or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a

21 population of 500,000 or more, the department of ~~health and family services~~, with

22 the assistance of the department of justice, shall conduct a background investigation

23 of the applicant.

24 *-1261/5.450* *-1261/P3.395* SECTION 1291. 48.57 (3p) (b) 2. of the statutes

25 is amended to read:

1 48.57 (3p) (b) 2. The county department or, in a county having a population of
2 500,000 or more, the department of health and family services, with the assistance
3 of the department of justice, may conduct a background investigation of any person
4 who is receiving payments under sub. (3m) at the time of review under sub. (3m) (d)
5 or at any other time that the county department or department of health and family
6 services considers to be appropriate.

7 *-1261/5.451* *-1261/P3.396* SECTION 1292. 48.57 (3p) (b) 3. of the statutes
8 is amended to read:

9 48.57 (3p) (b) 3. The county department or, in a county having a population of
10 500,000 or more, the department of health and family services, with the assistance
11 of the department of justice, may conduct a background investigation of any person
12 who is receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) at any time that
13 the county department or department of health and family services considers to be
14 appropriate.

15 *-1261/5.452* *-1261/P3.397* SECTION 1293. 48.57 (3p) (c) 1. of the statutes
16 is amended to read:

17 48.57 (3p) (c) 1. After receipt of an application for payments under sub. (3m)
18 or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a
19 population of 500,000 or more, the department of health and family services, with
20 the assistance of the department of justice, shall, in addition to the investigation
21 under par. (b) 1., conduct a background investigation of all employees and
22 prospective employees of the applicant who have or would have regular contact with
23 the child for whom those payments are being made and of each adult resident.

24 *-1261/5.453* *-1261/P3.398* SECTION 1294. 48.57 (3p) (c) 2. of the statutes
25 is amended to read:

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

9 ***-1261/5.454*** ***-1261/P3.399*** SECTION 1295. 48.57 (3p) (c) 2m. of the statutes
10 is amended to read:

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

19 ***-1261/5.455*** ***-1261/P3.400*** SECTION 1296. 48.57 (3p) (c) 3. of the statutes
20 is amended to read:

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

1 services, with the assistance of the department of justice, shall conduct a background
2 investigation of the prospective employee or prospective adult resident unless that
3 person has already been investigated under subd. 1., 2. or 2m.

4 ***-1261/5.456* *-1261/P3.401* SECTION 1297.** 48.57 (3p) (d) of the statutes is
5 amended to read:

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

17 ***-1261/5.457* *-1261/P3.402* SECTION 1298.** 48.57 (3p) (e) (intro.) of the
18 statutes is amended to read:

19 48.57 (3p) (e) (intro.) Upon request, a person being investigated under par. (b)
20 or (c) shall provide the county department or, in a county having a population of
21 500,000 or more, the department of health and family services with all of the
22 following information:

23 ***-1261/5.458* *-1261/P3.403* SECTION 1299.** 48.57 (3p) (fm) 1. of the statutes
24 is amended to read:

1 48.57 (3p) (fm) 1. The county department or, in a county having a population
2 of 500,000 or more, the department of health and family services may provisionally
3 approve the making of payments under sub. (3m) based on the applicant's statement
4 under sub. (3m) (am) 4m. The county department or department of health and family
5 services may not finally approve the making of payments under sub. (3m) unless the
6 county department or department of health and family services receives information
7 from the department of justice indicating that the conviction record of the applicant
8 under the law of this state is satisfactory according to the criteria specified in par.
9 (g) 1. to 3. or payment is approved under par. (h) 4. The county department or
10 department of health and family services may make payments under sub. (3m)
11 conditioned on the receipt of information from the federal bureau of investigation
12 indicating that the person's conviction record under the law of any other state or
13 under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

14 *-1261/5.459* *-1261/P3.404* SECTION 1300. 48.57 (3p) (fm) 1m. of the
15 statutes is amended to read:

16 48.57 (3p) (fm) 1m. The county department or, in a county having a population
17 of 500,000 or more, the department of health and family services may not enter into
18 the agreement under sub. (3n) (am) 6. or make payments under s. 48.62 (5) (a) or (b)
19 unless the county department or department of health and family services receives
20 information from the department of justice relating to the conviction record of the
21 applicant under the law of this state and that record indicates either that the
22 applicant has not been arrested or convicted or that the applicant has been arrested
23 or convicted but the director of the county department or, in a county having a
24 population of 500,000 or more, the person designated by the secretary of health and
25 family services to review conviction records under this subdivision determines that

1 the conviction record is satisfactory because it does not include any arrest or
2 conviction that the director or person designated by the secretary determines is
3 likely to adversely affect the child or the applicant's ability to care for the child. The
4 county department or, in a county having a population of 500,000 or more, the
5 department of health and family services may make payments under sub. (3n) or s.
6 48.62 (5) (a) or (b) conditioned on the receipt of information from the federal bureau
7 of investigation indicating that the person's conviction record under the law of any
8 other state or under federal law is satisfactory because the conviction record does not
9 include any arrest or conviction that the director of the county department or, in a
10 county having a population of 500,000 or more, the person designated by the
11 secretary of health and family services to review conviction records under this
12 subdivision determines is likely to adversely affect the child or the applicant's ability
13 to care for the child.

14 *~~1261/5.460~~* *~~1261/P3.405~~* SECTION 1301. 48.57 (3p) (fm) 2. of the statutes
15 is amended to read:

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

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

21 *-1261/5.461* *-1261/P3.406* SECTION 1302. 48.57 (3p) (fm) 2m. of the
22 statutes is amended to read:

23 48.57 (3p) (fm) 2m. A person receiving payments under sub. (3n) or s. 48.62 (5)
24 (a) or (b) may provisionally employ a person in a position in which that person would
25 have regular contact with the child for whom those payments are being made or

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

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

9 ***-1261/5.462* *-1261/P3.407* SECTION 1303.** 48.57 (3p) (g) (intro.) of the
10 statutes is amended to read:

11 48.57 (3p) (g) (intro.) Except as provided in par. (h), the county department or,
12 in a county having a population of 500,000 or more, the department of health and
13 family services may not make payments to a person applying for payments under
14 sub. (3m) and a person receiving payments under sub. (3m) may not employ a person
15 in a position in which that person would have regular contact with the child for whom
16 those payments are being made or permit a person to be an adult resident if any of
17 the following applies:

18 ***-1261/5.463* *-1261/P3.408* SECTION 1304.** 48.57 (3p) (g) 3. of the statutes
19 is amended to read:

20 48.57 (3p) (g) 3. The person has been convicted of a violation of ch. 940, 944m
21 or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45, 948.63m or 948.70,
22 or of a violation of the law of any other state or federal law that would be a violation
23 of ch. 940, 944m or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45,
24 948.63m or 948.70, if committed in this state, except that a county department or,
25 in a county having a population of 500,000 or more, the department of health and

1 ~~family services~~ may make payments to a person applying for payments under sub.
2 (3m) and a person receiving payments under sub. (3m) may employ in a position in
3 which the person would have regular contact with the child for whom those payments
4 are being made or permit to be an adult resident a person who has been convicted
5 of a violation of s. 944.30, 944.31, or 944.33 or of a violation of the law of any other
6 state or federal law that would be a violation of s. 944.30, 944.31, or 944.33 if
7 committed in this state, if that violation occurred 20 years or more before the date
8 of the investigation.

9 *~~1261/5.464~~* *~~1261/P3.409~~* SECTION 1305. 48.57 (3p) (h) 2. of the statutes
10 is amended to read:

11 48.57 (3p) (h) 2. The request for review shall be filed with the director of the
12 county department or, in a county having a population of 500,000 or more, with the
13 person designated by the secretary of ~~health and family services~~ to receive requests
14 for review filed under this subdivision. If the governing body of a federally
15 recognized American Indian tribe or band has entered into an agreement under sub.
16 (3t) to administer the program under this subsection and sub. (3m), the request for
17 review shall be filed with the person designated by that governing body to receive
18 requests for review filed under this subdivision.

19 *~~1261/5.465~~* *~~1261/P3.410~~* SECTION 1306. 48.57 (3p) (h) 3. (intro.) of the
20 statutes is amended to read:

21 48.57 (3p) (h) 3. (intro.) The director of the county department, the person
22 designated by the governing body of a federally recognized American Indian tribe or
23 band or, in a county having a population of 500,000 or more, the person designated
24 by the secretary of ~~health and family services~~ shall review the denial of payments or
25 the prohibition on employment or being an adult resident to determine if the

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1 conviction record on which the denial or prohibition is based includes any arrests,
2 convictions, or penalties that are likely to adversely affect the child or the ability of
3 the kinship care relative to care for the child. In reviewing the denial or prohibition,
4 the director of the county department, the person designated by the governing body
5 of the federally recognized American Indian tribe or band or the person designated
6 by the secretary of health and family services shall consider, but not be limited to,
7 all of the following factors:

8 *~~1261/5.466~~* *~~1261/P3.411~~* SECTION 1307. 48.57 (3p) (h) 4. of the statutes
9 is amended to read:

10 48.57 (3p) (h) 4. If the director of the county department, the person designated
11 by the governing body of the federally recognized American Indian tribe or band or,
12 in a county having a population of 500,000 or more, the person designated by the
13 secretary of health and family services determines that the conviction record on
14 which the denial of payments or the prohibition on employment or being an adult
15 resident is based does not include any arrests, convictions, or penalties that are likely
16 to adversely affect the child or the ability of the kinship care relative to care for the
17 child, the director of the county department, the person designated by the governing
18 body of the federally recognized American Indian tribe or band, or the person
19 designated by the secretary of health and family services may approve the making
20 of payments under sub. (3m) or may permit a person receiving payments under sub.
21 (3m) to employ a person in a position in which that person would have regular contact
22 with the child for whom payments are being made or permit a person to be an adult
23 resident.

24 *~~1261/5.467~~* *~~1261/P3.412~~* SECTION 1308. 48.57 (3p) (i) of the statutes is
25 amended to read:

1 48.57 (3p) (i) A county department and, in a county having a population of
2 500,000 or more, the department of health and family services shall keep
3 confidential all information received under this subsection from the department of
4 justice or the federal bureau of investigation. Such information is not subject to
5 inspection or copying under s. 19.35.

6 *-1261/5.468* *-1261/P3.413* SECTION 1309. 48.57 (3p) (j) of the statutes is
7 amended to read:

8 48.57 (3p) (j) A county department or, in a county having a population of
9 500,000 or more, the department of health and family services may charge a fee for
10 conducting a background investigation under this subsection. The fee may not
11 exceed the reasonable cost of conducting the investigation.

12 *-1261/5.469* *-1261/P3.414* SECTION 1310. 48.576 of the statutes is created
13 to read:

14 **48.576 Shelter care facilities; general supervision and inspection by**
15 **department.** (1) GENERALLY. The department shall investigate and supervise all
16 shelter care facilities and familiarize itself with all the circumstances affecting their
17 management and usefulness.

18 (2) INSPECTIONS. The department shall inquire into the methods of treatment,
19 instruction, government, and management of children placed in shelter care
20 facilities; the conduct of the trustees, managers, directors, superintendents, and
21 other officers and employees of those facilities; the condition of the buildings,
22 grounds, and all other property pertaining to those facilities; and all other matters
23 pertaining to the usefulness and management of those facilities; and recommend to
24 the officers in charge such changes and additional provisions as the department
25 considers proper.

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

6 **(4) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS.** Upon request
7 of the department, the attorney general or the district attorney of the proper county
8 shall aid in any investigation, inspection, hearing, or trial had under the provisions
9 of this chapter relating to powers of the department, and shall institute and
10 prosecute all necessary actions or proceedings for the enforcement of those
11 provisions and for the punishment of violations of those provisions. The attorney
12 general or district attorney so requested shall report or confer with the department
13 regarding the request, within 30 days after the receipt of the request.

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

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

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

3 *-1261/5.470* *-1261/P3.415* **SECTION 1311.** 48.578 of the statutes is created
4 to read:

5 **48.578 Shelter care facilities; establishment, approval, inspection. (1)**

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

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

13 (3) Before any shelter care facility is occupied, and at least annually thereafter,
14 the department shall inspect the shelter care facility, with respect to safety,
15 sanitation, adequacy, and fitness, and report to the authorities managing the shelter
16 care facility any deficiency found, and order the necessary work to correct that
17 deficiency. If within 6 months after the inspection the work is not commenced, or not
18 completed within a reasonable period after commencement of the work, to the
19 satisfaction of the department, the department shall suspend the allowance of state
20 aid for, and prohibit the use of the shelter care facility, until the order is complied
21 with.

22 *-1261/5.471* *-1261/P3.416* **SECTION 1312.** 48.60 (3) of the statutes is
23 amended to read:

24 48.60 (3) Before issuing or continuing any license to a child welfare agency
25 under this section, the department of ~~health and family services~~ shall review the

1 need for the additional placement resources that would be made available by
2 licensing or continuing the license of any child welfare agency after August 5, 1973,
3 providing care authorized under s. 48.61 (3). Neither the department of health and
4 family services nor the department of corrections may make any placements to any
5 child welfare agency where the departmental review required under this subsection
6 has failed to indicate the need for the additional placement resources.

7 ***-0259/1.1* SECTION 1313.** 48.62 (4) of the statutes is amended to read:

8 48.62 (4) Monthly payments in foster care shall be provided according to the
9 age-related rates specified in this subsection. Beginning on January 1, 2006, the
10 age-related rates are ~~\$317 for a child under 5 years of age; \$346 for a child 5 to 11~~
11 ~~years of age; \$394 for a child 12 to 14 years of age; and \$411~~ 2008, the age-related
12 rates are \$333 for a child under 5 years of age; \$363 for a child 5 to 11 years of age;
13 \$414 for a child 12 to 14 years of age; and \$432 for a child 15 years of age or over.
14 Beginning on January 1, 2009, the age-related rates are \$349 for a child under 5
15 years of age; \$381 for a child 5 to 11 years of age; \$433 for a child 12 to 14 years of
16 age; and \$452 for a child 15 years of age or over. In addition to these grants for basic
17 maintenance, the department shall make supplemental payments for special needs,
18 exceptional circumstances, care in a treatment foster home, and initial clothing
19 allowances according to rules promulgated by the department.

20 ***-1261/5.472* *-1261/P3.417* SECTION 1314.** 48.62 (5) (d) of the statutes is
21 amended to read:

22 48.62 (5) (d) The department shall request from the secretary of the federal
23 department of health and human services a waiver of the requirements under 42
24 USC 670 to 679a that would authorize the state to receive federal foster care and
25 adoption assistance reimbursement under 42 USC 670 to 679a for the costs of

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

11 ***-1261/5.473* *-1261/P3.418* SECTION 1315.** 48.627 (2) (c) of the statutes is
12 amended to read:

13 48.627 (2) (c) The department shall conduct a study to determine the
14 cost-effectiveness of purchasing insurance to provide standard homeowner's or
15 renter's liability insurance coverage for applicants who are granted a waiver under
16 par. (b). If the department determines that it would be cost-effective to purchase
17 such insurance, it may purchase the insurance from the appropriations under s.
18 ~~20.435 (3)~~ 20.437 (1) (cf) and (pd).

19 ***-1261/5.474* *-1261/P3.419* SECTION 1316.** 48.627 (2c) of the statutes is
20 amended to read:

21 48.627 (2c) The department shall determine the cost-effectiveness of
22 purchasing private insurance that would provide coverage to foster, treatment foster,
23 and family-operated group home parents for acts or omissions by or affecting a child
24 who is placed in a foster home, a treatment foster home, or a family-operated group
25 home. If this private insurance is cost-effective and available, the department shall

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1 purchase the insurance from the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cf)
2 and (pd). If the insurance is unavailable, payment of claims for acts or omissions by
3 or affecting a child who is placed in a foster home, a treatment foster home, or a
4 family-operated group home shall be in accordance with subs. (2m) to (3).

5 ***-1261/5.475* *-1261/P3.420* SECTION 1317.** 48.627 (2m) of the statutes is
6 amended to read:

7 48.627 (2m) Within the limits of the appropriations under s. ~~20.435 (3)~~ 20.437
8 (1) (cf) and (pd), the department shall pay claims to the extent not covered by any
9 other insurance and subject to the limitations specified in sub. (3), for bodily injury
10 or property damage sustained by a licensed foster, treatment foster, or
11 family-operated group home parent or a member of the foster, treatment foster, or
12 family-operated group home parent's family as a result of the act of a child in the
13 foster, treatment foster, or family-operated group home parent's care.

14 ***-1261/5.476* *-1261/P3.421* SECTION 1318.** 48.627 (2s) (intro.) of the
15 statutes is amended to read:

16 48.627 (2s) (intro.) Within the limits of the appropriations under s. ~~20.435 (3)~~
17 20.437 (1) (cf) and (pd), the department may pay claims to the extent not covered by
18 any other insurance and subject to the limitations specified in sub. (3), for all of the
19 following:

20 ***-1261/5.477* *-1261/P3.422* SECTION 1319.** 48.627 (3) (f) of the statutes is
21 amended to read:

22 48.627 (3) (f) If the total amount of the claims approved during any calendar
23 quarter exceeds 25% of the total funds available during the fiscal year for purposes
24 of this subsection plus any unencumbered funds remaining from the previous
25 quarter, the department shall prorate the available funds among the claimants with

1 approved claims. The department shall also prorate any unencumbered funds
2 remaining in the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (cf) at the end of each
3 fiscal year among the claimants whose claims were prorated during the fiscal year.
4 Payment of a prorated amount from unencumbered funds remaining at the end of
5 the fiscal year constitutes a complete payment of the claim for purposes of this
6 program, but does not prohibit a foster parent or treatment foster parent from
7 submitting a claim under s. 16.007 for the unpaid portion.

8 *~~1261/5.478~~* *~~1261/P3.423~~* SECTION 1320. 48.627 (4) of the statutes is
9 amended to read:

10 48.627 (4) Except as provided in s. 895.485, the department is not liable for any
11 act or omission by or affecting a child who is placed in a foster home, treatment foster
12 home, or family-operated group home, but shall, as provided in this section, pay
13 claims described under sub. (2m) and may pay claims described under sub. (2s) or
14 may purchase insurance to cover such claims as provided for under sub. (2c), within
15 the limits of the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cf) and (pd).

16 *~~0261/6.21~~* SECTION 1321. 48.63 (1) of the statutes is amended to read:

17 48.63 (1) Acting under court order or voluntary agreement, the child's parent
18 or guardian or the department of ~~health and family services~~, the department of
19 corrections, a county department, or a child welfare agency licensed to place children
20 in foster homes, treatment foster homes, or group homes may place a child or
21 negotiate or act as intermediary for the placement of a child in a foster home,
22 treatment foster home, or group home. Voluntary agreements under this subsection
23 may not be used for placements in facilities other than foster, treatment foster, or
24 group homes and may not be extended. A foster home or treatment foster home
25 placement under a voluntary agreement may not exceed 180 days from the date on

1 which the child was removed from the home under the voluntary agreement. A group
2 home placement under a voluntary agreement may not exceed 15 days from the date
3 on which the child was removed from the home under the voluntary agreement,
4 except as provided in sub. (5). These time limitations do not apply to placements
5 made under s. 48.345, 938.183, 938.34, or 938.345. Voluntary agreements may be
6 made only under this subsection and sub. (5) (b) and shall be in writing and shall
7 specifically state that the agreement may be terminated at any time by the parent
8 or guardian or by the child if the child's consent to the agreement is required. The
9 child's consent to the agreement is required whenever the child is 12 years of age or
10 older. If a county department, the department, or the department of corrections
11 places a child or negotiates or acts as intermediary for the placement of a child under
12 this subsection, the voluntary agreement shall also specifically state that the county
13 department, department, or department of corrections has placement and care
14 responsibility for the child as required under 42 USC 672 (a) (2) and has primary
15 responsibility for providing services to the child.

16 ***-1261/5.479*** ***-1261/P3.425*** SECTION 1322. 48.64 (1) of the statutes is
17 amended to read:

18 48.64 (1) DEFINITION. In this section, "agency" means the department of health
19 and family services, the department of corrections, a county department, or a
20 licensed child welfare agency authorized to place children in foster homes, treatment
21 foster homes, or group homes.

22 ***-1261/5.480*** ***-1267/P1.91*** SECTION 1323. 48.651 (1) (intro.) of the statutes
23 is amended to read:

24 48.651 (1) (intro.) Each county department shall certify, according to the
25 standards adopted by the department of workforce development under s. 49.155 (1d),

1 each day care provider reimbursed for child care services provided to families
2 determined eligible under s. 49.155, unless the provider is a day care center licensed
3 under s. 48.65 or is established or contracted for under s. 120.13 (14). Each county
4 may charge a fee to cover the costs of certification. To be certified under this section,
5 a person must meet the minimum requirements for certification established by the
6 department of workforce development under s. 49.155 (1d), meet the requirements
7 specified in s. 48.685 and pay the fee specified in this section. The county shall certify
8 the following categories of day care providers:

9 ***-1261/5.481* *-1267/P1.92* SECTION 1324.** 48.651 (1) (a) of the statutes is
10 amended to read:

11 48.651 (1) (a) Level I certified family day care providers, as established by the
12 department of workforce development under s. 49.155 (1d). No county may certify
13 a provider under this paragraph if the provider is a relative of all of the children for
14 whom he or she provides care.

15 ***-1261/5.482* *-1267/P1.93* SECTION 1325.** 48.651 (1) (b) of the statutes is
16 amended to read:

17 48.651 (1) (b) Level II certified family day care providers, as established by the
18 department of workforce development, under s. 49.155 (1d).

19 ***-1261/5.483* SECTION 1326.** 48.651 (2m) of the statutes is amended to read:

20 48.651 (2m) Each county department shall provide the department of health
21 and family services with information about each person who is denied certification
22 for a reason specified in s. 48.685 (4m) (a) 1. to 5.

23 ***-1220/5.1* SECTION 1327.** 48.658 of the statutes is created to read:

24 **48.658 Child care quality rating system.** The department of workforce
25 development shall provide a child care quality rating system that rates the quality

1 of the child care provided by a child care provider licensed under s. 48.65 that receives
2 reimbursement under s. 49.155 for the child care provided or that volunteers for
3 rating under this section. The department of workforce development shall make the
4 rating information provided under that system available to the parents, guardians,
5 and legal custodians of children who are recipients, or prospective recipients, of care
6 and supervision from a child care provider that is rated under this section, including
7 making that information available on the department of workforce development's
8 Internet site.

9 *-1261/5.484* SECTION 1328. 48.658 of the statutes, as created by 2007
10 Wisconsin Act (this act), is amended to read:

11 **48.658 Child care quality rating system.** The department of workforce
12 development shall provide a child care quality rating system that rates the quality
13 of the child care provided by a child care provider licensed under s. 48.65 that receives
14 reimbursement under s. 49.155 for the child care provided or that volunteers for
15 rating under this section. The department of workforce development shall make the
16 rating information provided under that system available to the parents, guardians,
17 and legal custodians of children who are recipients, or prospective recipients, of care
18 and supervision from a child care provider that is rated under this section, including
19 making that information available on the department of workforce development's
20 department's Internet site.

****NOTE: This is reconciled s. 48.658. This SECTION has been affected by drafts
with the following LRB numbers: -1220 and -1261.

21 *-1261/5.485* *-1261/P3.426* SECTION 1329. 48.66 (1) (a) of the statutes is
22 amended to read:

1 48.66 (1) (a) Except as provided in s. 48.715 (6) and (7), the department shall
2 license and supervise child welfare agencies, as required by s. 48.60, group homes,
3 as required by s. 48.625, shelter care facilities, as required by s. 938.22, and day care
4 centers, as required by s. 48.65. The department may license foster homes or
5 treatment foster homes, as provided by s. 48.62, and may license and supervise
6 county departments in accordance with the procedures specified in this section and
7 in ss. 48.67 to 48.74. In the discharge of this duty the department may inspect the
8 records and visit the premises of all child welfare agencies, group homes, shelter care
9 facilities, and day care centers and visit the premises of all foster homes and
10 treatment foster homes in which children are placed.

11 *-1261/5.486* *-1261/P3.427* SECTION 1330. 48.66 (2m) (a) 1. of the statutes
12 is amended to read:

13 48.66 (2m) (a) 1. Except as provided in subd. 2., the department of health and
14 family services shall require each applicant for a license under sub. (1) (a) to operate
15 a child welfare agency, group home, shelter care facility, or day care center who is an
16 individual to provide that department with the applicant's social security number,
17 and shall require each applicant for a license under sub. (1) (a) to operate a child
18 welfare agency, group home, shelter care facility, or day care center who is not an
19 individual to provide that department with the applicant's federal employer
20 identification number, when initially applying for or applying to continue the license.

21 *-1261/5.487* *-1261/P3.428* SECTION 1331. 48.66 (2m) (a) 2. of the statutes
22 is amended to read:

23 48.66 (2m) (a) 2. If an applicant who is an individual does not have a social
24 security number, the applicant shall submit a statement made or subscribed under
25 oath or affirmation to the department of health and family services that the

1 applicant does not have a social security number. The form of the statement shall
2 be prescribed by the department of ~~workforce development~~. A license issued in
3 reliance upon a false statement submitted under this subdivision is invalid.

4 ***-1261/5.488* *-1261/P3.429* SECTION 1332.** 48.66 (2m) (am) 2. of the
5 statutes is amended to read:

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

12 ***-1261/5.489* *-1261/P3.430* SECTION 1333.** 48.66 (2m) (b) of the statutes is
13 amended to read:

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

23 ***-1261/5.490* *-1261/P3.431* SECTION 1334.** 48.66 (2m) (c) of the statutes is
24 amended to read:

1 48.66 (2m) (c) The subunit of the department of health and family services that
2 obtains a social security number or a federal employer identification number under
3 par. (a) 1. may not disclose any that information obtained under par. (a) 1. to any
4 person except to the department of revenue for the sole purpose of requesting
5 certifications under s. 73.0301 or on the request of the subunit of the department of
6 workforce development that administers the child and spousal support program
7 under s. 49.22 (2m).

8 *~~1261/5.491~~* *~~1267/P1.97~~* SECTION 1335. 48.66 (2m) (cm) of the statutes
9 is amended to read:

10 48.66 (2m) (cm) The department of corrections may not disclose any
11 information obtained under par. (am) 1. to any person except on the request of the
12 department of workforce development under s. 49.22 (2m).

13 *~~1261/5.492~~* *~~1261/P3.432~~* SECTION 1336. 48.675 (3) (intro.) of the
14 statutes is amended to read:

15 48.675 (3) SUPPORT SERVICES. (intro.) The department shall provide funds from
16 the appropriation under s. ~~20.435 (6)~~ 20.437 (1) (a) to enable foster parents and
17 treatment foster parents to attend education programs approved under sub. (2) and
18 shall promulgate rules concerning disbursement of the funds. Moneys disbursed
19 under this subsection may be used for the following purposes:

20 *~~0841/5.1~~* SECTION 1337. 48.685 (1) (bg) of the statutes is repealed.

21 *~~0841/5.2~~* SECTION 1338. 48.685 (1) (d) of the statutes is repealed.

22 *~~1261/5.493~~* SECTION 1339. 48.685 (2) (am) 5. of the statutes is amended to
23 read:

24 48.685 (2) (am) 5. Information maintained by the department of health and
25 family services under this section and under ss. 48.651 (2m), 48.75 (1m), and 120.13

1 (14) regarding any denial to the person of a license, continuation or renewal of a
2 license, certification, or a contract to operate an entity for a reason specified in sub.
3 (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract
4 with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to
5 5. If the information obtained under this subdivision indicates that the person has
6 been denied a license, continuation or renewal of a license, certification, a contract,
7 employment, or permission to reside as described in this subdivision, the
8 department, a county department, a child welfare agency or a school board need not
9 obtain the information specified in subds. 1. to 4.

10 ***-0841/5.3* SECTION 1340.** 48.685 (2) (b) 1. (intro.) of the statutes is amended
11 to read:

12 48.685 (2) (b) 1. (intro.) Every entity shall obtain all of the following with
13 respect to a caregiver specified in sub. (1) (ag) 1. a. of the entity:

14 ***-1261/5.494* SECTION 1341.** 48.685 (2) (b) 1. e. of the statutes is amended to
15 read:

16 48.685 (2) (b) 1. e. Information maintained by the department of health and
17 family services under this section and under ss. 48.651 (2m), 48.75 (1m), and 120.13
18 (14) regarding any denial to the person of a license, continuation or renewal of a
19 license, certification, or a contract to operate an entity for a reason specified in sub.
20 (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract
21 with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to
22 5. If the information obtained under this subd. 1. e. indicates that the person has
23 been denied a license, continuation or renewal of a license, certification, a contract,
24 employment, or permission to reside as described in this subd. 1. e., the entity need
25 not obtain the information specified in subd. 1. a. to d.