

1 ***-1261/5.323* *-1261/P3.270* SECTION 1137.** 46.515 (1) (d) of the statutes is
2 renumbered 48.983 (1) (d).

3 ***-1261/5.324* *-1261/P3.271* SECTION 1138.** 46.515 (1) (e) of the statutes is
4 renumbered 48.983 (1) (e).

5 ***-1261/5.325* *-1261/P3.272* SECTION 1139.** 46.515 (1) (f) of the statutes is
6 renumbered 48.983 (1) (f).

7 ***-1261/5.326* *-1261/P3.273* SECTION 1140.** 46.515 (1) (g) of the statutes is
8 renumbered 48.983 (1) (g).

9 ***-1261/5.327* *-1261/P3.274* SECTION 1141.** 46.515 (1) (h) of the statutes is
10 renumbered 48.983 (1) (h).

11 ***-1261/5.328* *-1261/P3.275* SECTION 1142.** 46.515 (1) (i) of the statutes is
12 renumbered 48.983 (1) (i).

13 ***-1261/5.329* *-1261/P3.276* SECTION 1143.** 46.515 (1) (j) of the statutes is
14 renumbered 48.983 (1) (j).

15 ***-1261/5.330* *-1261/P3.277* SECTION 1144.** 46.515 (2) of the statutes is
16 renumbered 48.983 (2) and amended to read:

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

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

10 ***-1261/5.331*** ***-1261/P3.280*** SECTION 1145. 46.515 (3) of the statutes is
11 renumbered 48.983 (3).

12 ***-1261/5.332*** ***-1261/P3.281*** SECTION 1146. 46.515 (4) of the statutes is
13 renumbered 48.983 (4).

14 ***-1261/5.333*** ***-1261/P3.282*** SECTION 1147. 46.515 (5) of the statutes is
15 renumbered 48.983 (5) and amended to read:

16 48.983 (5) SELECTION OF COUNTIES AND INDIAN TRIBES. The department shall
17 provide competitive application procedures for selecting counties and Indian tribes
18 for participation in the program under this section. The department shall establish
19 a method for ranking applicants for selection based on the quality of their
20 applications. In ranking the applications submitted by counties, the department
21 shall give favorable consideration to a county that has indicated under sub. (6) (d)
22 2. that it is willing to use a portion of any moneys distributed to the county under s.
23 46.45 48.565 (2) (a) to provide case management services to a medical assistance
24 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family
25 that is a case and that has explained under sub. (6) (d) 2. how the county plans to use

1 that portion of those moneys to promote the provision of those services for the case
2 by using a wraparound process so as to provide those services in a flexible,
3 comprehensive and individualized manner in order to reduce the necessity for
4 court-ordered services. The department shall also provide application requirements
5 and procedures for the renewal of a grant awarded under this section. The
6 application procedures and the renewal application requirements and procedures
7 shall be clear and understandable to the applicants. The department need not
8 promulgate as rules under ch. 227 the application procedures, the renewal
9 application requirements or procedures or the method for ranking applicants
10 established under this subsection.

11 ***-1261/5.334* *-1261/P3.283* SECTION 1148.** 46.515 (6) (intro.) of the
12 statutes is renumbered 48.983 (6) (intro.).

13 ***-1261/5.335* *-1261/P3.284* SECTION 1149.** 46.515 (6) (a) of the statutes is
14 renumbered 48.983 (6) (a).

15 ***-1261/5.336* *-1261/P3.285* SECTION 1150.** 46.515 (6) (b) of the statutes is
16 renumbered 48.983 (6) (b).

17 ***-1261/5.337* *-1261/P3.286* SECTION 1151.** 46.515 (6) (c) of the statutes is
18 renumbered 48.983 (6) (c).

19 ***-1261/5.338* *-1261/P3.287* SECTION 1152.** 46.515 (6) (d) (title) of the
20 statutes is renumbered 48.983 (6) (d) (title).

21 ***-1261/5.339* *-1261/P3.288* SECTION 1153.** 46.515 (6) (d) 1. of the statutes
22 is renumbered 48.983 (6) (d) 1.

23 ***-1261/5.340* *-1261/P3.289* SECTION 1154.** 46.515 (6) (d) 2. of the statutes
24 is renumbered 48.983 (6) (d) 2. and amended to read:

1 48.983 (6) (d) 2. The applicant indicates in the grant application whether the
2 applicant is willing to use a portion of any moneys distributed to the applicant under
3 s. 46.45 48.565 (2) (a) to provide case management services to a medical assistance
4 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family
5 that is a case. If the applicant is so willing, the applicant shall explain how the
6 applicant plans to use that portion of those moneys to promote the provision of those
7 services for the case by using a wraparound process so as to provide those services
8 in a flexible, comprehensive and individualized manner in order to reduce the
9 necessity for court-ordered services.

10 ***-1261/5.341*** ***-1261/P3.290*** SECTION 1155. 46.515 (6) (e) of the statutes is
11 renumbered 48.983 (6) (e).

12 ***-1261/5.342*** ***-1261/P3.291*** SECTION 1156. 46.515 (6g) of the statutes is
13 renumbered 48.983 (6g).

14 ***-1261/5.343*** ***-1261/P3.292*** SECTION 1157. 46.515 (6m) of the statutes is
15 renumbered 48.983 (6m) and amended to read:

16 **48.983 (6m) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT.**

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

1 *-1261/5.344* *-1261/P3.293* SECTION 1158. 46.515 (6r) of the statutes is
2 renumbered 48.983 (6r).

3 *-1261/5.345* *-1261/P3.294* SECTION 1159. 46.515 (7) of the statutes is
4 renumbered 48.983 (7).

5 *-1261/5.346* *-1261/P3.295* SECTION 1160. 46.515 (8) of the statutes is
6 renumbered 48.983 (8).

7 *-1261/5.347* *-1261/P3.296* SECTION 1161. 46.75 (title) of the statutes is
8 renumbered 49.171 (title).

9 *-1261/5.348* *-1261/P3.297* SECTION 1162. 46.75 (1) of the statutes is
10 renumbered 49.171 (1).

11 *-1261/5.349* *-1261/P3.298* SECTION 1163. 46.75 (2) (title) of the statutes
12 is renumbered 49.171 (2) (title).

13 *-1261/5.350* *-1261/P3.299* SECTION 1164. 46.75 (2) (a) of the statutes is
14 renumbered 49.171 (2) (a) and amended to read:

15 49.171 (2) (a) From the appropriation under s. ~~20.435 (5)~~ 20.437 (2) (dn), the
16 department shall award grants to agencies to operate food distribution programs
17 that qualify for participation in the emergency food assistance program under P.L.
18 98-8, as amended.

19 *-1261/5.351* *-1261/P3.300* SECTION 1165. 46.75 (2) (b) of the statutes is
20 renumbered 49.171 (2) (b).

21 *-1261/5.352* *-1261/P3.301* SECTION 1166. 46.75 (3) of the statutes is
22 renumbered 49.171 (3).

23 *-1261/5.353* *-1261/P3.302* SECTION 1167. 46.76 (intro.) of the statutes is
24 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.

1 ***-1261/5.354*** SECTION 1168. 46.76 (1) of the statutes is renumbered 49.172
2 (1).

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

3 ***-1261/5.355*** SECTION 1169. 46.76 (2) of the statutes is renumbered 49.172
4 (2).

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

5 ***-0242/1.5*** SECTION 1170. 46.76 (4) of the statutes is repealed.

6 ***-0242/1.6*** SECTION 1171. 46.76 (5) of the statutes is repealed.

7 ***-1261/5.356*** ***-1261/P3.303*** SECTION 1172. 46.766 of the statutes is
8 repealed.

9 ***-1261/5.357*** ***-1261/P3.304*** SECTION 1173. 46.77 of the statutes is
10 renumbered 49.1715 and amended to read:

11 **49.1715 Food distribution administration.** From the appropriation under
12 s. ~~20.435 (5)~~ 20.437 (2) (dn), the department shall allocate funds to eligible recipient
13 agencies, as defined in the emergency food assistance act, P.L. 98-8, section 201A,
14 as amended, for the storage, transportation, and distribution of commodities
15 provided under the hunger prevention act of 1988, P.L. 100-435, as amended.

16 ***-1261/5.358*** ***-1261/P3.305*** SECTION 1174. 46.95 (title) of the statutes is
17 renumbered 49.165 (title).

18 ***-1261/5.359*** ***-1261/P3.306*** SECTION 1175. 46.95 (1) of the statutes is
19 renumbered 49.165 (1).

20 ***-1261/5.360*** ***-1261/P3.307*** SECTION 1176. 46.95 (2) (title) of the statutes
21 is renumbered 49.165 (2) (title).

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1 *-1508/3.4* SECTION 1177. 46.95 (2) (a) of the statutes is amended to read:

2 46.95 (2) (a) The secretary shall make grants from the appropriations accounts
3 under s. 20.435 (3) (cd) and (hh) and in each fiscal year \$950,000 from the
4 appropriation account under s. 20.435 (3) (ky) to organizations for the provision of
5 any of the services specified in sub. (1) (d). Grants may be made to organizations
6 which have provided those domestic abuse services in the past or to organizations
7 which propose to provide those services in the future. No grant may be made to fund
8 services for child or unborn child abuse or abuse of elderly persons.

9 *-1261/5.361* *-1261/P3.308* SECTION 1178. 46.95 (2) (a) of the statutes, as
10 affected by 2007 Wisconsin Act ... (this act), is renumbered 49.165 (2) (a) and
11 amended to read:

✓ \$950,000
plan

12 49.165 (2) (a) The secretary shall make grants from the appropriation accounts
13 under s. 20.435 (3) 20.437 (1) (cd) and (hh) and in each fiscal year \$1,000,000 from
14 the appropriation account under s. 20.435 (3) 20.437 (1) (ky) to organizations for the
15 provision of any of the services specified in sub. (1) (d). Grants may be made to
16 organizations which have provided those domestic abuse services in the past or to
17 organizations which propose to provide those services in the future. No grant may
18 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.

19 *-1261/5.362* *-1261/P3.309* SECTION 1179. 46.95 (2) (b) of the statutes is
20 renumbered 49.165 (2) (b).

21 *-1261/5.363* *-1261/P3.310* SECTION 1180. 46.95 (2) (c) of the statutes is
22 renumbered 49.165 (2) (c).

1 ***-1261/5.364* *-1261/P3.311* SECTION 1181.** 46.95 (2) (d) of the statutes is
2 renumbered 49.165 (2) (d).

3 ***-1261/5.365* *-1261/P3.312* SECTION 1182.** 46.95 (2) (e) of the statutes is
4 renumbered 49.165 (2) (e).

5 ***-1261/5.366* *-1261/P3.313* SECTION 1183.** 46.95 (2) (f) (intro.) of the
6 statutes is renumbered 49.165 (2) (f) (intro.) and amended to read:

7 49.165 (2) (f) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cd)
8 and (hh), the department shall do all of the following:

9 ***-1261/5.367* *-1261/P3.314* SECTION 1184.** 46.95 (2) (f) 1. of the statutes is
10 renumbered 49.165 (2) (f) 1.

11 ***-1261/5.368* *-1261/P3.315* SECTION 1185.** 46.95 (2) (f) 5. of the statutes is
12 renumbered 49.165 (2) (f) 5.

13 ***-1261/5.369* *-1261/P3.316* SECTION 1186.** 46.95 (2) (f) 6. of the statutes is
14 renumbered 49.165 (2) (f) 6.

15 ***-1261/5.370* *-1261/P3.317* SECTION 1187.** 46.95 (2) (f) 7. of the statutes is
16 renumbered 49.165 (2) (f) 7.

17 ***-1261/5.371* *-1261/P3.318* SECTION 1188.** 46.95 (2) (f) 8. of the statutes is
18 renumbered 49.165 (2) (f) 8.

19 ***-1261/5.372* *-1261/P3.319* SECTION 1189.** 46.95 (2) (f) 9. of the statutes is
20 renumbered 49.165 (2) (f) 9.

21 ***-1261/5.373* *-1261/P3.320* SECTION 1190.** 46.95 (2) (f) 10. of the statutes
22 is renumbered 49.165 (2) (f) 10.

23 ***-1261/5.374* *-1261/P3.321* SECTION 1191.** 46.95 (2m) of the statutes is
24 renumbered 49.165 (2m).

1 ***-1261/5.375* *-1261/P3.322* SECTION 1192.** 46.95 (3) of the statutes is
2 renumbered 49.165 (3).

3 ***-1261/5.376* *-1261/P3.323* SECTION 1193.** 46.95 (4) of the statutes is
4 renumbered 49.165 (4).

5 ***-0247/1.2* SECTION 1194.** 46.976 of the statutes is repealed.

6 ***-1023/1.1* SECTION 1195.** 46.985 (2) (a) 2. of the statutes is repealed.

7 ***-1023/1.2* SECTION 1196.** 46.985 (2) (f) of the statutes is created to read:

8 46.985 (2) (f) Establish criteria for priority of services that take into account
9 urgency of need, statewide consistency, developmental impact on eligible children,
10 and other factors, so as to ensure that available funds are used consistently and
11 effectively.

12 ***-1261/5.377* *-1261/P3.324* SECTION 1197.** 46.99 (title) of the statutes is
13 renumbered 48.545 (title).

14 ***-1261/5.378* *-1261/P3.325* SECTION 1198.** 46.99 (1) of the statutes is
15 renumbered 48.545 (1).

16 ***-1261/5.379* *-1261/P3.326* SECTION 1199.** 46.99 (2) (title) of the statutes
17 is renumbered 48.545 (2) (title).

18 ***-1261/5.380* *-1261/P3.327* SECTION 1200.** 46.99 (2) (a) (intro.) of the
19 statutes is renumbered 48.545 (2) (a) (intro.) and amended to read:

20 48.545 (2) (a) (intro.) From the appropriations under s. ~~20.435(3)~~ 20.437(1) (eg
21 and (nL), the department shall distribute \$2,125,200 in each fiscal year to applying
22 nonprofit corporations and public agencies operating in a county having a population
23 of 500,000 or more and \$1,199,300 in each fiscal year to applying county departments
24 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county

1 having a population of 500,000 or more to provide programs to accomplish all of the
2 following:

3 ***-1261/5.381* *-1261/P3.328* SECTION 1201.** 46.99 (2) (a) 1. of the statutes
4 is renumbered 48.545 (2) (a) 1.

5 ***-1261/5.382* *-1261/P3.329* SECTION 1202.** 46.99 (2) (a) 2. of the statutes
6 is renumbered 48.545 (2) (a) 2.

7 ***-1261/5.383* *-1261/P3.330* SECTION 1203.** 46.99 (2) (a) 3. of the statutes
8 is renumbered 48.545 (2) (a) 3.

9 ***-1261/5.384* *-1261/P3.331* SECTION 1204.** 46.99 (2) (a) 4. of the statutes
10 is renumbered 48.545 (2) (a) 4.

11 ***-1261/5.385* *-1261/P3.332* SECTION 1205.** 46.99 (2) (a) 5. of the statutes
12 is renumbered 48.545 (2) (a) 5.

13 ***-1261/5.386* *-1261/P3.333* SECTION 1206.** 46.99 (2) (b) of the statutes is
14 renumbered 48.545 (2) (b).

15 ***-1261/5.387* *-1261/P3.334* SECTION 1207.** 46.99 (3) of the statutes is
16 renumbered 48.545 (3).

17 ***-1261/5.388* *-1261/P3.335* SECTION 1208.** 46.995 (title) of the statutes is
18 renumbered 48.487 (title).

19 ***-1261/5.389* *-1261/P3.336* SECTION 1209.** 46.995 (1m) of the statutes is
20 renumbered 48.487 (1m) and amended to read:

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

24 ***-1261/5.390* *-1261/P3.337* SECTION 1210.** 46.995 (2) of the statutes is
25 renumbered 48.487 (2).

1 ***-1261/5.391*** ***-1261/P3.338*** SECTION 1211. 46.995 (3) of the statutes is
2 renumbered 48.487 (3).

3 ***-1261/5.392*** ***-1261/P3.339*** SECTION 1212. 46.995 (4m) of the statutes is
4 renumbered 48.487 (4m).

5 ***-1261/5.393*** ***-1261/P3.340*** SECTION 1213. 46.997 (title) of the statutes is
6 renumbered 48.647 (title).

7 ***-1261/5.394*** ***-1261/P3.341*** SECTION 1214. 46.997 (1) of the statutes is
8 renumbered 48.647 (1).

9 ***-1261/5.395*** ***-1261/P3.342*** SECTION 1215. 46.997 (2) (title) of the statutes
10 is renumbered 48.647 (2) (title).

11 ***-1261/5.396*** ***-1261/P3.343*** SECTION 1216. 46.997 (2) (a) of the statutes is
12 renumbered 48.647 (2) (a) and amended to read:

13 48.647 (2) (a) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (f), the
14 department shall distribute not more than \$0 in each fiscal year as grants to private
15 agencies to provide 2nd-chance homes and related services to eligible persons who
16 are placed under s. 48.63 (5) in 2nd-chance homes operated by those private
17 agencies. A private agency that is awarded a grant under this paragraph may use
18 the amount awarded under the grant to provide care and maintenance to eligible
19 persons who are placed under s. 48.63 (5) in a 2nd-chance home operated by the
20 private agency; provide services, including the services specified in sub. (3), to
21 eligible persons who currently are or formerly were placed under s. 48.63 (5) in the
22 2nd-chance home, to the children and families of those eligible persons, and to the
23 noncustodial parents of the children of those eligible persons; and, in the first year
24 of the grant period, pay for the start-up costs, other than capital costs, of the private
25 agency's program funded under this paragraph.

1 ***-1261/5.397*** ***-1261/P3.344*** SECTION 1217. 46.997 (2) (b) of the statutes is
2 renumbered 48.647 (2) (b) and amended to read:

3 48.647 (2) (b) The department of health and family services shall award the
4 grants under par. (a) on a competitive basis and according to request-for-proposal
5 procedures that the department of health and family services shall prescribe in
6 consultation with the department of workforce development, local health
7 departments, as defined in s. 250.01 (4), and other providers of services to eligible
8 persons. Those request-for-proposal procedures shall include a requirement that
9 a private agency that applies for a grant under par. (a) include in its grant application
10 proof that the private agency has the cultural competency to provide services under
11 the grant to persons and families in the various cultures in the private agency's
12 target population and that cultural competency is incorporated in the private
13 agency's policies, administration, and practices. In awarding the grants under par.
14 (a), the department of health and family services shall consider the need for those
15 grants to be distributed both on a statewide basis and in the areas of the state with
16 the greatest need for 2nd-chance homes and the need to provide placements for
17 children who are voluntarily placed in a 2nd-chance home as well as for children who
18 are placed in a 2nd-chance home by court order.

19 ***-1261/5.398*** ***-1261/P3.345*** SECTION 1218. 46.997 (2) (c) of the statutes is
20 renumbered 48.647 (2) (c).

21 ***-1261/5.399*** ***-1261/P3.346*** SECTION 1219. 46.997 (2) (d) of the statutes is
22 renumbered 48.647 (2) (d).

23 ***-1261/5.400*** ***-1261/P3.347*** SECTION 1220. 46.997 (2) (e) of the statutes is
24 renumbered 48.647 (2) (e).

1 ***-1261/5.401*** ***-1261/P3.348*** SECTION 1221. 46.997 (3) of the statutes is
2 renumbered 48.647 (3).

3 ***-1261/5.402*** ***-1261/P3.349*** SECTION 1222. 46.997 (4) of the statutes is
4 renumbered 48.647 (4) and amended to read:

5 48.647 (4) EVALUATION. From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)
6 (f), the department shall conduct or shall select an evaluator to conduct an evaluation
7 of the grant program under this section and, by June 1 of the 3rd calendar year
8 beginning after the year in which the first grant under this section is awarded, shall
9 submit a report on that evaluation to the governor and to the appropriate standing
10 committees under s. 13.172 (3). The evaluation shall measure the economic
11 self-sufficiency, parenting skills, independent living skills, and life choice
12 decision-making skills of the eligible persons who received services under the
13 program and any other criteria that the department determines to be appropriate for
14 evaluation.

15 ***-1261/5.403*** ***-1261/P3.350*** SECTION 1223. 48.01 (1) (h) of the statutes is
16 created to read:

17 48.01 (1) (h) To provide a just and humane program of services to nonmarital
18 children, children and unborn children in need of protection or services, and the
19 expectant mothers of those unborn children; to avoid duplication and waste of effort
20 and money on the part of public and private agencies; and to coordinate and integrate
21 a program of services to children and families.

22 ***-1261/5.404*** ***-1261/P3.351*** SECTION 1224. 48.02 (4) of the statutes is
23 amended to read:

24 48.02 (4) "Department" means the department of ~~health and family services~~
25 children and families.

1 ***-1261/5.405*** ***-1261/P3.352*** **SECTION 1225.** 48.02 (16) of the statutes is
2 created to read:

3 48.02 (16) "Secretary" means the secretary of children and families.

4 ***-1261/5.406*** ***-1261/P3.353*** **SECTION 1226.** 48.06 (4) of the statutes is
5 amended to read:

6 48.06 (4) STATE AID. State aid to any county for court services under this section
7 shall be at the same net effective rate that each county is reimbursed for county
8 administration under s. 46.495 48.569. Counties having a population of less than
9 500,000 may use funds received under s. 46.495 48.569 (1) (d), including county or
10 federal revenue sharing funds allocated to match funds received under s. 46.495
11 48.569 (1) (d), for the cost of providing court attached intake services in amounts not
12 to exceed 50% of the cost of providing court attached intake services or \$30,000 per
13 county per calendar year, whichever is less.

14 ***-0261/6.1*** **SECTION 1227.** 48.21 (5) (b) 1. of the statutes is renumbered 48.21
15 (5) (b) 1. a. and amended to read:

16 48.21 (5) (b) 1. a. A finding that continued placement of the child in his or her
17 home would be contrary to the welfare of the child. ~~Unless the judge or circuit court~~
18 ~~commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to~~
19 ~~5. applies, the order shall in addition include a-~~

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

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

4 1m. If for good cause shown sufficient information is not available for the judge
5 or circuit court commissioner to make a finding as to whether those reasonable
6 efforts were made to prevent the removal of the child from the home, while assuring
7 that the child's health and safety are the paramount concerns, a finding as to
8 whether those reasonable efforts were made to make it possible for the child to return
9 safely home and an order for the county department, department, in a county having
10 a population of 500,000 or more, or agency primarily responsible for providing
11 services to the child under the custody order to file with the court sufficient
12 information for the judge or circuit court commissioner to make a finding as to
13 whether those reasonable efforts were made to prevent the removal of the child from
14 the home by no later than 5 days, excluding Saturdays, Sundays, and legal holidays,
15 after the date of on which the order is granted.

16 *-0261/6.2* SECTION 1228. 48.21 (5) (b) 1. d. of the statutes is created to read:

17 48.21 (5) (b) 1. d. If the child is under the supervision of the county department
18 or, in a county having a population of 500,000 or more, the department, an order
19 ordering the child into the placement and care responsibility of the county
20 department or department as required under 42 USC 672 (a) (2) and assigning the
21 county department or department primary responsibility for providing services to
22 the child.

23 *-0261/6.3* SECTION 1229. 48.21 (5) (c) of the statutes is amended to read:

24 48.21 (5) (c) The judge or circuit court commissioner shall make the findings
25 specified in par. (b) 1., 1m., and 3. on a case-by-case basis based on circumstances

1 specific to the child and shall document or reference the specific information on
2 which those findings are based in the custody order. A custody order that merely
3 references par. (b) 1., 1m., or 3. without documenting or referencing that specific
4 information in the custody order or an amended custody order that retroactively
5 corrects an earlier custody order that does not comply with this paragraph is not
6 sufficient to comply with this paragraph.

7 ***-0261/6.4* SECTION 1230.** 48.235 (4) (b) of the statutes is amended to read:

8 48.235 (4) (b) The court shall order the agency identified under s. 48.355 (2) (b)
9 1. 48.33 (1) (c) as primarily responsible for the provision of services to notify the
10 guardian ad litem, if any, regarding actions to be taken under par. (a).

11 ***-0261/6.5* SECTION 1231.** 48.235 (4m) (b) of the statutes is amended to read:

12 48.235 (4m) (b) The court shall order the agency identified under s. 48.355 (2)
13 (b) 1. 48.33 (1) (c) as primarily responsible for the provision of services to notify the
14 guardian ad litem, if any, regarding actions to be taken under par. (a).

15 ***-1261/5.407* *-1261/P3.354* SECTION 1232.** 48.275 (2) (d) 2. of the statutes
16 is amended to read:

17 48.275 (2) (d) 2. In a county having a population of 500,000 or more,
18 reimbursement payments shall be made to the clerk of courts of the county where the
19 proceedings took place. Each payment shall be transmitted to the secretary of
20 administration, who shall deposit the amount paid in the general fund and credit
21 25% of the amount paid to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)
22 (gx) and the remainder to the appropriation account under s. 20.550 (1) (L).

23 ***-1261/5.408* *-1261/P3.355* SECTION 1233.** 48.30 (6) (b) of the statutes is
24 amended to read:

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

12 *-1261/5.409* *-1261/P3.356* SECTION 1234. 48.31 (7) (b) of the statutes is
13 amended to read:

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

SECTION 1235

1 *-0261/6.6* SECTION 1235. 48.315 (2m) (a) 1. of the statutes is amended to
2 read:

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

10 *-0261/6.7* SECTION 1236. 48.32 (1) (b) 1. of the statutes is renumbered 48.32
11 (1) (b) 1. (intro.) and amended to read:

12 48.32 (1) (b) 1. (intro.) If at the time the consent decree is entered into the child
13 is placed outside the home under a voluntary agreement under s. 48.63 or is
14 otherwise living outside the home without a court order and if the consent decree
15 maintains the child in that placement or other living arrangement, the consent
16 decree shall include ~~a~~ all of the following:

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

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

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

6 ***-0261/6.8* SECTION 1237.** 48.32 (1) (b) 1. d. of the statutes is created to read:
7 48.32 (1) (b) 1. d. If the child's placement or other living arrangement is under
8 the supervision of the county department or, in a county having a population of
9 500,000 or more, the department, an order ordering the child into the placement and
10 care responsibility of the county department or department as required under 42
11 USC 672 (a) (2) and assigning the county department or department primary
12 responsibility for providing services to the child.

13 ***-1261/5.410* *-1261/P3.357* SECTION 1238.** 48.33 (4m) (intro.) of the
14 statutes is amended to read:

15 48.33 (4m) SUPPORT RECOMMENDATIONS; INFORMATION TO PARENTS. (intro.) In
16 making a recommendation for an amount of child support under sub. (4), the agency
17 shall consider the factors that the court considers under s. 46.10 49.345 (14) (c) for
18 deviation from the percentage standard. Prior to the dispositional hearing under s.
19 48.335, the agency shall provide the child's parent with all of the following:

20 ***-1261/5.411* *-1261/P3.358* SECTION 1239.** 48.33 (4m) (b) of the statutes is
21 amended to read:

22 48.33 (4m) (b) A written explanation of how the parent may request that the
23 court modify the amount of child support under s. 46.10 49.345 (14) (c).

24 ***-0261/6.9* SECTION 1240.** 48.335 (3g) of the statutes is renumbered 48.335
25 (3g) (intro.) and amended to read:

SECTION 1240

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

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

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

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

18 *-0261/6.10* SECTION 1241. 48.355 (2) (b) 1. of the statutes is amended to read:

19 48.355 (2) (b) 1. The specific services ~~or continuum of services~~ to be provided
20 to the child and family, to the child expectant mother and family, or to the adult
21 expectant mother, ~~the identity of the agencies which are to be primarily responsible~~
22 ~~for the provision of the services ordered by the judge, the identity of the person or~~
23 ~~agency who will provide case management or coordination of services, if any, and, if~~
24 custody of the child is to be transferred to effect the treatment plan, the identity of
25 the legal custodian.

1 ***-0261/6.11* SECTION 1242.** 48.355 (2) (b) 6g. of the statutes is created to read:
2 48.355 (2) (b) 6g. If the child is placed outside the home under the supervision
3 of the county department or, in a county having a population of 500,000 or more, the
4 department, an order ordering the child into the placement and care responsibility
5 of the county department or department as required under 42 USC 672 (a) (2) and
6 assigning the county department or department primary responsibility for providing
7 services to the child.

8 ***-0261/6.12* SECTION 1243.** 48.357 (1) (am) 3. of the statutes is amended to
9 read:

10 48.357 (1) (am) 3. If the court changes the child's placement from a placement
11 outside the home to another placement outside the home, the change in placement
12 order shall contain one of the statements the applicable order specified in sub. (2v)
13 (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

14 ***-0261/6.13* SECTION 1244.** 48.357 (1) (c) 3. of the statutes is amended to read:

15 48.357 (1) (c) 3. If the court changes the child's placement from a placement in
16 the child's home to a placement outside the child's home, the change in placement
17 order shall contain the findings specified in sub. (2v) (a) 1., one of the statements the
18 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in
19 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances
20 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the
21 determination specified in sub. (2v) (a) 3.

22 ***-0261/6.14* SECTION 1245.** 48.357 (2m) (c) of the statutes is amended to read:

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

SECTION 1245

1 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in
2 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances
3 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the
4 determination specified in sub. (2v) (a) 3. If the court changes the child's placement
5 from a placement outside the home to another placement outside the home, the
6 change in placement order shall contain the applicable order specified in sub. (2v)
7 (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

8 ***-0261/6.15* SECTION 1246.** 48.357 (2v) (a) 1m. of the statutes is created to
9 read:

10 48.357 (2v) (a) 1m. If the change in placement order changes the placement of
11 a child who is under the supervision of the county department or, in a county having
12 a population of 500,000 or more, the department to a placement outside the child's
13 home, whether from a placement in the home or from another placement outside the
14 home, an order ordering the child into, or to be continued in, the placement and care
15 responsibility of the county department or department as required under 42 USC
16 672 (a) (2) and assigning the county department or department primary
17 responsibility, or continued primary responsibility, for providing services to the
18 child.

19 ***-1261/5.412* *-1261/P3.359* SECTION 1247.** 48.357 (5m) (a) of the statutes
20 is amended to read:

21 48.357 (5m) (a) If a proposed change in placement changes a child's placement
22 from a placement in the child's home to a placement outside the child's home, the
23 court shall order the child's parent to provide a statement of income, assets, debts
24 and living expenses to the court or the person or agency primarily responsible for
25 implementing the dispositional order by a date specified by the court. The clerk of

1 court shall provide, without charge, to any parent ordered to provide a statement of
2 income, assets, debts, and living expenses a document setting forth the percentage
3 standard established by the department of workforce development under s. 49.22 (9)
4 and the manner of its application established by the department of health and family
5 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may
6 consider under s. ~~46.10~~ 49.345 (14) (c). If the child is placed outside the child's home,
7 the court shall determine the liability of the parent in the manner provided in s. ~~46.10~~
8 49.345 (14).

9 *~~1261/5.413~~* *~~1261/P3.360~~* SECTION 1248. 48.36 (1) (a) of the statutes is
10 amended to read:

11 48.36 (1) (a) If legal custody is transferred from the parent or guardian or the
12 court otherwise designates an alternative placement for the child by a disposition
13 made under s. 48.345 or by a change in placement under s. 48.357, the duty of the
14 parent or guardian or, in the case of a transfer of guardianship and custody under
15 s. 48.839 (4), the duty of the former guardian to provide support shall continue even
16 though the legal custodian or the placement designee may provide the support. A
17 copy of the order transferring custody or designating alternative placement for the
18 child shall be submitted to the agency or person receiving custody or placement and
19 the agency or person may apply to the court for an order to compel the parent or
20 guardian to provide the support. Support payments for residential services, when
21 purchased or otherwise funded or provided by the department or a county
22 department under s. ~~46.22, 46.23, 51.42 or 51.437~~, shall be determined under s. ~~46.10~~
23 49.345 (14). Support payments for residential services, when purchased or otherwise
24 funded by the department of health and family services or a county department
25 under s. 51.42 or 51.437, shall be determined under s. 46.10 (14).

1 ***-1261/5.414* *-1261/P3.361* SECTION 1249.** 48.36 (1) (b) of the statutes is
2 amended to read:

3 48.36 (1) (b) In determining the amount of support under par. (a), the court may
4 consider all relevant financial information or other information relevant to the
5 parent's earning capacity, including information reported under s. 49.22 (2m) to the
6 department of ~~workforce development~~ or the county child support agency under s.
7 59.53 (5). If the court has insufficient information with which to determine the
8 amount of support, the court shall order the child's parent to furnish a statement of
9 income, assets, debts, and living expenses, if the parent has not already done so, to
10 the court within 10 days after the court's order transferring custody or designating
11 an alternative placement is entered or at such other time as ordered by the court.

12 ***-1261/5.415* *-1261/P3.362* SECTION 1250.** 48.36 (2) of the statutes is
13 amended to read:

14 48.36 (2) If an expectant mother or a child whose legal custody has not been
15 taken from a parent or guardian is given educational and social services, or medical,
16 psychological or psychiatric treatment by order of the court, the cost of those services
17 or that treatment, if ordered by the court, shall be a charge upon the county in a
18 county having a population of less than 500,000 or the department in a county having
19 a population of 500,000 or more. This section does not prevent recovery of reasonable
20 contribution toward the costs from the parent or guardian of the child or from an
21 adult expectant mother as the court may order based on the ability of the parent,
22 guardian or adult expectant mother to pay. This subsection shall be subject to s.
23 ~~46.03 (18)~~ 49.32 (1).

24 ***-1261/5.416* *-1261/P3.363* SECTION 1251.** 48.361 (2) (c) of the statutes is
25 amended to read:

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

9 *~~1261/5.417~~* *~~1261/P3.364~~* SECTION 1252. 48.362 (4) (c) of the statutes is
10 amended to read:

11 48.362 (4) (c) A county department that pays for court-ordered special
12 treatment or care under par. (a) may recover from the parent or adult expectant
13 mother, based on the ability of the parent or adult expectant mother to pay, a
14 reasonable contribution toward the costs of the court-ordered special treatment or
15 care. This paragraph is subject to s. 46.03 (18) 49.32 (1).

16 *~~1261/5.418~~* *~~1261/P3.365~~* SECTION 1253. 48.363 (1) (c) of the statutes is
17 amended to read:

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

1 established by the department of health and family services under s. 46.247 49.345

2 (14) (g) and listing the factors that a court may consider under s. 46.10 49.345 (14)

3 (c). ~~That the court shall determine the liability of the parent in the~~

4 ~~the manner provided in s. 46.10 49.345 (14).~~ ***-1261/5.419* *-1261/P3.366* SECTION 1254.** 48.363 (2) of the statutes is

5 amended to read:

6 **48.363 (2)** If the court revises a dispositional order with respect to the amount

7 of child support to be paid by a parent for the care and maintenance of the parent's

8 minor child who has been placed by a court order under this chapter in a residential,

9 nonmedical facility, the court shall determine the liability of the parent in the

10 manner provided in s. 46.10 49.345 (14).

11 ***-0261/6.16* SECTION 1255.** 48.38 (2) (intro.) of the statutes is amended to

12 read:

13 **48.38 (2) PERMANENCY PLAN REQUIRED.** (intro.) Except as provided in sub. (3),

14 for each child living in a foster home, treatment foster home, group home, residential

15 care center for children and youth, juvenile detention facility, or shelter care facility,

16 the agency that placed the child or arranged the placement or the agency assigned

17 primary responsibility for providing services to the child under s. 48.355 (2) (b) 6g.

18 shall prepare a written permanency plan, if any of the following conditions exists,

19 and, for each child living in the home of a relative other than a parent, that agency

20 shall prepare a written permanency plan, if any of the conditions specified in pars.

21 (a) to (e) exists:

22 ***-0261/6.17* SECTION 1256.** 48.417 (2) (c) of the statutes is amended to read:

23 **48.417 (2) (c)** The agency primarily responsible for providing services to the

24 child and the family under a court order, if required under s. 48.355 (2) (b) 6. to make

25 reasonable efforts to make it possible for the child to return safely to his or her home,

1 has not provided to the family of the child, consistent with the time period in the
2 child's permanency plan, the services necessary for the safe return of the child to his
3 or her home.

4 ***-0261/6.18* SECTION 1257.** 48.425 (1) (c) of the statutes is amended to read:

5 48.425 (1) (c) If the child has been previously adjudicated to be in need of
6 protection and services, a statement of the steps the agency or person responsible for
7 provision of services has taken to remedy the conditions responsible for court
8 intervention and the parent's response to and cooperation with these services. If the
9 child has been removed from the home, the report should shall also include a
10 statement of the reasons why the child cannot be returned safely to the family, and
11 the steps the person or agency has taken to effect this return. If a permanency plan
12 has previously been prepared for the child, the report shall also include specific
13 information showing that the agency primarily responsible for providing services to
14 the child has made reasonable efforts to achieve the goal of the child's permanency
15 plan.

16 ***-0261/6.19* SECTION 1258.** 48.43 (1) (am) of the statutes is created to read:

17 48.43 (1) (am) If the department or a county department receives guardianship
18 or custody of the child under par. (a), an order ordering the child into the placement
19 and care responsibility of the department or county department as required under
20 42 USC 672 (a) (2) and assigning the department or county department primary
21 responsibility for providing services to the child.

22 ***-0261/6.20* SECTION 1259.** 48.43 (1) (cm) of the statutes is created to read:

23 48.43 (1) (cm) If a permanency plan has previously been prepared for the child,
24 a finding as to whether the agency primarily responsible for providing services to the
25 child has made reasonable efforts to achieve the goal of the child's permanency plan.

1 The court shall make the findings specified in this paragraph on a case-by-case basis
2 based on circumstances specific to the child and shall document or reference the
3 specific information on which those findings are based in the order. An order that
4 merely references this paragraph without documenting or referencing that specific
5 information in the order or an amended order that retroactively corrects an earlier
6 order that does not comply with this paragraph is not sufficient to comply with this
7 paragraph.

8 ***-1261/5.420* *-1261/P3.367* SECTION 1260.** Subchapter XI (title) of chapter
9 48 [precedes 48.47] of the statutes is amended to read:

10 CHAPTER 48

11 SUBCHAPTER XI

12 DUTIES AND AUTHORITY OF DEPARTMENT

13 ***-1261/5.421* *-1261/P3.368* SECTION 1261.** 48.47 (intro.) of the statutes is
14 created to read:

15 **48.47 Duties of department.** (intro.) The department shall do all of the
16 following:

17 ***-1261/5.422* *-1261/P3.369* SECTION 1262.** 48.47 (3) of the statutes is
18 created to read:

19 **48.47 (3) TRUSTEE DUTY.** When ordered by the court, act as trustee of funds paid
20 for the support of any child if appointed by the court or a circuit court commissioner
21 under s. 767.82 (7).

22 ***-1261/5.423* *-1261/P3.370* SECTION 1263.** 48.47 (4) of the statutes is
23 created to read:

24 **48.47 (4) EDUCATION AND PREVENTION.** Develop and maintain education and
25 prevention programs that the department considers to be proper.

1 ***-1261/5.424*** ***-1261/P3.371*** **SECTION 1264.** 48.47 (7) (title) of the statutes
2 is created to read:

3 48.47 (7) (title) CHILDREN AND YOUTH.

4 ***-1261/5.425*** ***-1261/P3.372*** **SECTION 1265.** 48.48 (2b) of the statutes is
5 created to read:

6 48.48 (2b) To accept gifts, grants, or donations of money or of property from
7 private sources to be administered by the department for the execution of its
8 functions. All moneys so received shall be paid into the general fund and may be
9 appropriated from that fund as provided in s. 20.437 (1) (i).

10 ***-1261/5.426*** ***-1261/P3.373*** **SECTION 1266.** 48.48 (4) of the statutes is
11 created to read:

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

19 ***-1261/5.427*** ***-1261/P3.374*** **SECTION 1267.** 48.48 (12) (a) of the statutes is
20 amended to read:

21 48.48 (12) (a) To enter into an agreement to assist in the cost of care of a child
22 after legal adoption when the department has determined that such assistance is
23 necessary to assure the child's adoption. Agreements under this paragraph shall be
24 made in accordance with s. 48.975. Payments shall be made from the appropriation
25 under s. ~~20.435 (3)~~ 20.437 (1) (dd).

SECTION 1268

1 ***-1261/5.428*** ***-1261/P3.375*** **SECTION 1268.** 48.48 (17) (am) of the statutes
2 is created to read:

3 48.48 (17) (am) The requirement of statewide uniformity with respect to the
4 organization and governance of human services does not apply to the administration
5 of child welfare services under par. (a).

6 ***-1261/5.429*** ***-1261/P3.376*** **SECTION 1269.** 48.48 (17) (c) (intro.) of the
7 statutes is amended to read:

8 48.48 (17) (c) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1)
9 (cx), (gx), (kw), and (mx), the department may provide funding for the maintenance
10 of any child who meets all of the following criteria:

11 ***-1261/5.430*** ***-1261/P3.377*** **SECTION 1270.** 48.48 (17) (c) 3. of the statutes
12 is amended to read:

13 48.48 (17) (c) 3. Received funding under s. 20.437 (1) (cx) or 48.569 (1) (d) or
14 under s. 20.435 (3) (cx), 2005 stats., or 46.495 (1) (d), 2005 stats., immediately prior
15 to his or her 18th birthday.

16 ***-1261/5.431*** ***-1261/P3.378*** **SECTION 1271.** 48.48 (17) (d) of the statutes is
17 amended to read:

18 48.48 (17) (d) The funding provided for the maintenance of a child under par.
19 (c) shall be in an amount equal to that which the child would receive under s. 20.435
20 ~~(3)~~ 20.437 (1) (cx), (gx), (kw), and (mx) or 46.495 48.569 (1) (d) if the child were 17
21 years of age.

22 ***-1261/5.432*** ***-1261/P3.379*** **SECTION 1272.** 48.48 (18) of the statutes is
23 created to read:

24 48.48 (18) To contract with public or voluntary agencies or others for the
25 following purposes:

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

4 (b) To purchase or provide in full or in part the care and services that county
5 agencies may provide or purchase under any statute and to sell to county agencies
6 such portions of that care and those services as the county agency may desire to
7 purchase.

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

10 *-1508/3.5* SECTION 1273. 48.543 of the statutes is created to read:

11 **48.543 Services for children and families.** (1) From the appropriation
12 account under s. 20.435 (3) (ky), the department shall distribute the following
13 amounts in each fiscal year in Milwaukee County to organizations:

14 (a) To provide gender-responsive alcohol and other drug abuse treatment, case
15 management, child and family services, and educational services to drug dependent
16 women with children, \$250,000.

17 (b) To provide services to aid youth in making the transition from foster care
18 to independent living, \$50,000.

19 (2) From the appropriation account under s. 20.435 (3) (kz), the department
20 shall distribute \$500,000 in each fiscal year for comprehensive early childhood
21 initiatives in Dane County that provide home visiting and employment preparation
22 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.

1 ~~**-1261/5.433* *-1508/2.6* SECTION 1274.~~ 48.543 (1) of the statutes, as created
2 by 2007 Wisconsin Act ... (this act), is amended to read:

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

8 ~~**-1261/5.434* *-1508/2.7* SECTION 1275.~~ 48.543 (2) of the statutes, as created
9 by 2007 Wisconsin Act ... (this act), is amended to read:

10 48.543 (2) From the appropriation account under s. ~~20.435~~ 20.437 (1) (kz), the
11 department shall distribute \$500,000 in each fiscal year for comprehensive early
12 childhood initiatives in Dane County that provide home visiting and employment
13 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.

14 ~~**-1261/5.435* *-1261/P3.380* SECTION 1276.~~ 48.547 (2) of the statutes is
15 amended to read:

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

Handwritten notes: "GMM", "Insert", and "382-7" with an arrow pointing to the note section.

1 counties in accordance with the request for proposal procedures established by the
2 department. The department shall give a preference to county applications that
3 include a plan for case management.

4 ~~SECTION 1277. 48.55 (1) of the statutes is~~
5 ~~amended to read:~~

6 ~~48.55 (1) The department shall establish a state adoption information~~
7 ~~exchange for the purpose of finding adoptive homes for children with special needs~~
8 ~~who do not have permanent homes and a state adoption center for the purposes of~~
9 ~~increasing public knowledge of adoption and promoting to adolescents and pregnant~~
10 ~~women the availability of adoption services. From the appropriation under s. 20.435~~
11 ~~(3) 20.437 (1) (dg), the department may provide not more than \$163,700 in fiscal year~~
12 ~~2001-02 and not more than \$171,300 in each fiscal year thereafter as grants to~~
13 ~~individuals and private agencies to provide adoption information exchange services~~
14 ~~and to operate the state adoption center.~~

15 ~~*-1261/5.437* *-1261/P3.382* SECTION 1278. 48.561 (3) (a) 1. of the statutes~~
16 ~~is amended to read:~~

17 ~~48.561 (3) (a) 1. Through a reduction of \$37,209,200 from the amount amounts~~
18 ~~distributed to that county under s. ss. 46.40 (2) and 48.563 (2) in each state fiscal year.~~

19 ~~*-1261/5.438* *-1261/P3.383* SECTION 1279. 48.561 (3) (b) of the statutes is~~
20 ~~amended to read:~~

21 ~~48.561 (3) (b) The department of administration shall collect the amount~~
22 ~~specified in par. (a) 3. from a county having a population of 500,000 or more by~~
23 ~~deducting all or part of that amount from any state payment due that county under~~
24 ~~s. 79.03, 79.04, 79.058, 79.06, or 79.08. The department of administration shall~~
25 ~~notify the department of revenue, by September 15 of each year, of the amount to be~~

SECTION 1279

1 deducted from the state payments due under s. 79.03, 79.04, 79.058, 79.06, or 79.08.

2 The department of administration shall credit all amounts collected under this
3 paragraph to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1) (kw) and shall
4 notify the county from which those amounts are collected of that collection. The
5 department may not expend any moneys from the appropriation account under s.
6 ~~20.435 (3)~~ 20.437 (1) (cx) for providing services to children and families under s. 48.48
7 (17) until the amounts in the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)
8 (kw) are exhausted.

9 *~~1261/5.439~~* *~~1261/P3.384~~* SECTION 1280. 48.563 of the statutes is created
10 to read:

11 **48.563 Children and family aids funding. (1) DISTRIBUTION LIMITS.** (a)
12 Within the limits of available federal funds and of the appropriations under s. 20.437
13 (1) (b) and (o), the department shall distribute funds for children and family services
14 to county departments as provided in subs. (2), (3), and (7m) and s. 48.986.

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

20 (2) BASIC COUNTY ALLOCATION. For children and family services under s. 48.569
21 (1) (d), the department shall distribute not more than \$67,265,000 in each fiscal year.

22 *~~1261/5.440~~* *~~1261/P3.385~~* SECTION 1281. 48.565 of the statutes is created
23 to read:

24 **48.565 Carry-over of children and family aids funds.** Funds allocated by
25 the department under s. 48.569 (1) (d) but not spent or encumbered by counties,

1 governing bodies of federally recognized American Indian tribes, or private nonprofit
2 organizations by December 31 of each year and funds recovered under s. 48.569 (2)
3 (b) and deposited into the appropriation account under s. 20.437 (1) (b) lapse to the
4 general fund on the succeeding January 1 unless carried forward to the next calendar
5 year under s. 20.437 (1) (b) or as follows:

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

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

22 *-1261/5.441* *-1261/P3.386* SECTION 1282. 48.567 of the statutes is created
23 to read:

24 **48.567 Expenditure of income augmentation services receipts. (1)**
25 From the appropriation account under s. 20.437 (3) (mp), the department shall

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

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

21 *-1261/5.442* *-1261/P3.387* SECTION 1283. 48.568 of the statutes is created
22 to read:

23 **48.568 Allocation of federal funds for children and family aids and**
24 **child welfare.** Subject to s. 48.563 (1) (b) and (c), if the department receives
25 unanticipated federal foster care and adoption assistance payments under 42 USC

1 670 to 679a and it proposes to allocate the unanticipated funds so that an allocation
2 limit in s. 48.563 is exceeded, the department shall submit a plan for the proposed
3 allocation to the secretary of administration. If the secretary of administration
4 approves the plan, he or she shall submit it to the joint committee on finance. If the
5 cochairpersons of the committee do not notify the secretary of administration that
6 the committee has scheduled a meeting for the purpose of reviewing the plan within
7 14 working days after the date of his or her submittal, the department may
8 implement the plan, notwithstanding any allocation limits under s. 48.563. If within
9 14 working days after the date of the submittal by the secretary of administration
10 the cochairpersons of the committee notify him or her that the committee has
11 scheduled a meeting for the purpose of reviewing the plan, the department may
12 implement the plan, notwithstanding s. 48.563, only with the approval of the
13 committee.

14 *~~1261/5.443~~* *~~1261/P3.388~~* SECTION 1284. 48.569 of the statutes is created
15 to read:

16 **48.569 Distribution of children and family aids funds to counties. (1)**

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

20 (d) From the appropriations under s. 20.437 (1) (b) and (o), the department shall
21 distribute the funding for children and family services, including funding for foster
22 care, treatment foster care, or subsidized guardianship care of a child on whose
23 behalf aid is received under s. 48.645 to county departments as provided under s.
24 48.563. County matching funds are required for the distribution under s. 48.563 (2).
25 Each county's required match for the distribution under s. 48.563 (2) shall be

1 specified in a schedule established annually by the department. Matching funds
2 may be from county tax levies, federal and state revenue sharing funds, or private
3 donations to the county that meet the requirements specified in sub. (1m). Private
4 donations may not exceed 25 percent of the total county match. If the county match
5 is less than the amount required to generate the full amount of state and federal
6 funds distributed for this period, the decrease in the amount of state and federal
7 funds equals the difference between the required and the actual amount of county
8 matching funds.

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

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

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

18 (1m) (a) A private donation to a county may be used to match the state
19 grant-in-aid under sub. (1) (d) only if the donation is both of the following:

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

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

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

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

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

21 ***-1261/5.444* *-1261/P3.389* SECTION 1285.** 48.57 (1) (g) of the statutes is
22 amended to read:

23 48.57 (1) (g) Upon request of the department of ~~health and family services~~ or
24 the department of corrections, to provide service for any child or expectant mother
25 of an unborn child in the care of those departments.

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1 ***-1261/5.445*** ***-1261/P3.390*** SECTION 1286. 48.57 (3) (a) 3. (intro.) of the
2 statutes is amended to read:

3 48.57 (3) (a) 3. (intro.) Received funding under s. 48.569 (1) (d) or under s.
4 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday; and

5 ***-1261/5.446*** ***-1261/P3.391*** SECTION 1287. 48.57 (3) (b) of the statutes is
6 amended to read:

7 48.57 (3) (b) The funding provided for the maintenance of a child under par. (a)
8 shall be in an amount equal to that which the child would receive under s. 46.495
9 48.569 (1) (d) if the child were 17 years of age.

10 ***-1261/5.447*** ***-1261/P3.392*** SECTION 1288. 48.57 (3m) (am) (intro.) of the
11 statutes is amended to read:

12 48.57 (3m) (am) (intro.) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)
13 (kc), the department shall reimburse counties having populations of less than
14 500,000 for payments made under this subsection and shall make payments under
15 this subsection in a county having a population of 500,000 or more. A county
16 department and, in a county having a population of 500,000 or more, the department
17 shall make payments in the amount of \$215 per month to a kinship care relative who
18 is providing care and maintenance for a child if all of the following conditions are met:

19 ***-0905/3.21*** SECTION 1289. 48.57 (3m) (e) of the statutes is amended to read:

20 48.57 (3m) (e) The department shall determine whether the child is eligible
21 for medical assistance under ss. 49.43 to ~~49.47~~ 49.471.

22 ***-1261/5.448*** ***-1261/P3.393*** SECTION 1290. 48.57 (3n) (am) (intro.) of the
23 statutes is amended to read:

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

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

7 ***-0905/3.22*** SECTION 1291. 48.57 (3n) (e) of the statutes is amended to read:

8 48.57 (3n) (e) The department shall determine whether the child is eligible for
9 medical assistance under ss. 49.43 to 49.47 49.471.

10 ***-1261/5.449*** ***-1261/P3.394*** SECTION 1292. 48.57 (3p) (b) 1. of the statutes
11 is amended to read:

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

17 ***-1261/5.450*** ***-1261/P3.395*** SECTION 1293. 48.57 (3p) (b) 2. of the statutes
18 is amended to read:

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

1 ***-1261/5.451*** ***-1261/P3.396*** SECTION 1294. 48.57 (3p) (b) 3. of the statutes
2 is amended to read:

3 48.57 (3p) (b) 3. The county department or, in a county having a population of
4 500,000 or more, the department of ~~health and family services~~, with the assistance
5 of the department of justice, may conduct a background investigation of any person
6 who is receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) at any time that
7 the county department or department of ~~health and family services~~ considers to be
8 appropriate.

9 ***-1261/5.452*** ***-1261/P3.397*** SECTION 1295. 48.57 (3p) (c) 1. of the statutes
10 is amended to read:

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

18 ***-1261/5.453*** ***-1261/P3.398*** SECTION 1296. 48.57 (3p) (c) 2. of the statutes
19 is amended to read:

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

1 (3m) (d) or at any other time that the county department or department of health and
2 family services considers to be appropriate.

3 ***-1261/5.454* *-1261/P3.399* SECTION 1297.** 48.57 (3p) (c) 2m. of the statutes
4 is amended to read:

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

13 ***-1261/5.455* *-1261/P3.400* SECTION 1298.** 48.57 (3p) (c) 3. of the statutes
14 is amended to read:

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

23 ***-1261/5.456* *-1261/P3.401* SECTION 1299.** 48.57 (3p) (d) of the statutes is
24 amended to read:

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1 48.57 (3p) (d) If the person being investigated under par. (b) or (c) is a
2 nonresident, or at any time within the 5 years preceding the date of the application
3 has been a nonresident, or if the county department or, in a county having a
4 population of 500,000 or more, the department of health and family services
5 determines that the person's employment, licensing or state court records provide a
6 reasonable basis for further investigation, the county department or department of
7 health and family services shall require the person to be fingerprinted on 2
8 fingerprint cards, each bearing a complete set of the person's fingerprints. The
9 department of justice may provide for the submission of the fingerprint cards to the
10 federal bureau of investigation for the purposes of verifying the identity of the person
11 fingerprinted and obtaining records of his or her criminal arrest and conviction.

12 *-1261/5.457* *-1261/P3.402* SECTION 1300. 48.57 (3p) (e) (intro.) of the
13 statutes is amended to read:

14 48.57 (3p) (e) (intro.) Upon request, a person being investigated under par. (b)
15 or (c) shall provide the county department or, in a county having a population of
16 500,000 or more, the department of health and family services with all of the
17 following information:

18 *-1261/5.458* *-1261/P3.403* SECTION 1301. 48.57 (3p) (fm) 1. of the statutes
19 is amended to read:

20 48.57 (3p) (fm) 1. The county department or, in a county having a population
21 of 500,000 or more, the department of health and family services may provisionally
22 approve the making of payments under sub. (3m) based on the applicant's statement
23 under sub. (3m) (am) 4m. The county department or department of health and family
24 services may not finally approve the making of payments under sub. (3m) unless the
25 county department or department of health and family services receives information

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

8 *~~1261/5.459~~* *~~1261/P3.404~~* SECTION 1302. 48.57 (3p) (fm) 1m. of the
9 statutes is amended to read:

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

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

8 *~~1261/5.460~~* *~~1261/P3.405~~* **SECTION 1303.** 48.57 (3p) (fm) 2. of the statutes
9 is amended to read:

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

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

15 ***-1261/5.461* *-1261/P3.406* SECTION 1304.** 48.57 (3p) (fm) 2m. of the
16 statutes is amended to read:

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

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

1 subdivision determines is likely to adversely affect the child or the ability of the
2 person receiving payments to care for the child.

3 ***-1261/5.462*** ***-1261/P3.407*** **SECTION 1305.** 48.57 (3p) (g) (intro.) of the
4 statutes is amended to read:

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

12 ***-1261/5.463*** ***-1261/P3.408*** **SECTION 1306.** 48.57 (3p) (g) 3. of the statutes
13 is amended to read:

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

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1 committed in this state, if that violation occurred 20 years or more before the date
2 of the investigation.

3 *-1261/5.464* *-1261/P3.409* SECTION 1307. 48.57 (3p) (h) 2. of the statutes
4 is amended to read:

5 48.57 (3p) (h) 2. The request for review shall be filed with the director of the
6 county department or, in a county having a population of 500,000 or more, with the
7 person designated by the secretary of health and family services to receive requests
8 for review filed under this subdivision. If the governing body of a federally
9 recognized American Indian tribe or band has entered into an agreement under sub.
10 (3t) to administer the program under this subsection and sub. (3m), the request for
11 review shall be filed with the person designated by that governing body to receive
12 requests for review filed under this subdivision.

13 *-1261/5.465* *-1261/P3.410* SECTION 1308. 48.57 (3p) (h) 3. (intro.) of the
14 statutes is amended to read:

15 48.57 (3p) (h) 3. (intro.) The director of the county department, the person
16 designated by the governing body of a federally recognized American Indian tribe or
17 band or, in a county having a population of 500,000 or more, the person designated
18 by the secretary of health and family services shall review the denial of payments or
19 the prohibition on employment or being an adult resident to determine if the
20 conviction record on which the denial or prohibition is based includes any arrests,
21 convictions, or penalties that are likely to adversely affect the child or the ability of
22 the kinship care relative to care for the child. In reviewing the denial or prohibition,
23 the director of the county department, the person designated by the governing body
24 of the federally recognized American Indian tribe or band or the person designated

1 by the secretary of health and family services shall consider, but not be limited to,
2 all of the following factors:

3 ~~SECTION 1309.~~ ***-1261/5.466* *-1261/P3.411* SECTION 1309.** 48.57 (3p) (h) 4. of the statutes
4 is amended to read:

5 **48.57 (3p) (h) 4.** If the director of the county department, the person designated
6 by the governing body of the federally recognized American Indian tribe or band or,
7 in a county having a population of 500,000 or more, the person designated by the
8 secretary of health and family services determines that the conviction record on
9 which the denial of payments or the prohibition on employment or being an adult
10 resident is based does not include any arrests, convictions, or penalties that are likely
11 to adversely affect the child or the ability of the kinship care relative to care for the
12 child, the director of the county department, the person designated by the governing
13 body of the federally recognized American Indian tribe or band, or the person
14 designated by the secretary of health and family services may approve the making
15 of payments under sub. (3m) or may permit a person receiving payments under sub.
16 (3m) to employ a person in a position in which that person would have regular contact
17 with the child for whom payments are being made or permit a person to be an adult
18 resident.

19 ~~SECTION 1310.~~ ***-1261/5.467* *-1261/P3.412* SECTION 1310.** 48.57 (3p) (i) of the statutes is
20 amended to read:

21 **48.57 (3p) (i)** A county department and, in a county having a population of
22 500,000 or more, the department of health and family services shall keep
23 confidential all information received under this subsection from the department of
24 justice or the federal bureau of investigation. Such information is not subject to
25 inspection or copying under s. 19.35.

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1 *-1261/5.468* *-1261/P3.413* SECTION 1311. 48.57 (3p) (j) of the statutes is
2 amended to read:

3 48.57 (3p) (j) A county department or, in a county having a population of
4 500,000 or more, the department of health and family services may charge a fee for
5 conducting a background investigation under this subsection. The fee may not
6 exceed the reasonable cost of conducting the investigation.

7 *-1261/5.469* *-1261/P3.414* SECTION 1312. 48.576 of the statutes is created
8 to read:

9 **48.576 Shelter care facilities; general supervision and inspection by**
10 **department. (1) GENERALLY.** The department shall investigate and supervise all
11 shelter care facilities and familiarize itself with all the circumstances affecting their
12 management and usefulness.

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

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

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

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

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

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

22 *-1261/5.470* *-1261/P3.415* SECTION 1313. 48.578 of the statutes is created
23 to read:

24 **48.578 Shelter care facilities; establishment, approval, inspection. (1)**

25 The department shall fix reasonable standards and regulations for the design,

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1 construction, repair, and maintenance of shelter care facilities, with respect to their
2 adequacy and fitness for the needs that they are to serve.

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

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

16 *-1261/5.471* *-1261/P3.416* SECTION 1314. 48.60 (3) of the statutes is
17 amended to read:

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