



1           **SECTION 1139.** 46.515 (1) (b) 1. b. of the statutes is renumbered 48.983 (1) (b)

2           1. b.

3           **SECTION 1140.** 46.515 (1) (b) 1. c. of the statutes is renumbered 48.983 (1) (b)

4           1. c. and amended to read:

5           48.983 (1) (b) 1. c. A family that includes a person who has contacted a county  
6           department, ~~as defined in s. 48.02 (2g),~~ or an Indian tribe that has been awarded a  
7           grant under this section or, in a county having a population of 500,000 or more that  
8           has been awarded a grant under this section, the department or a licensed child  
9           welfare agency under contract with the department requesting assistance to prevent  
10          abuse or neglect of a child in the person's family and with respect to which an  
11          individual responding to the request has determined that all of the conditions in  
12          subd. 2. exist.

13          **SECTION 1141.** 46.515 (1) (b) 2. of the statutes is renumbered 48.983 (1) (b) 2.

14          **SECTION 1142.** 46.515 (1) (c) of the statutes is repealed.

15          **SECTION 1143.** 46.515 (1) (cm) of the statutes is renumbered 48.983 (1) (cm).

16          **SECTION 1144.** 46.515 (1) (d) of the statutes is renumbered 48.983 (1) (d).

17          **SECTION 1145.** 46.515 (1) (e) of the statutes is renumbered 48.983 (1) (e).

18          **SECTION 1146.** 46.515 (1) (f) of the statutes is renumbered 48.983 (1) (f).

19          **SECTION 1147.** 46.515 (1) (g) of the statutes is renumbered 48.983 (1) (g).

20          **SECTION 1148.** 46.515 (1) (h) of the statutes is renumbered 48.983 (1) (h).

21          **SECTION 1149.** 46.515 (1) (i) of the statutes is renumbered 48.983 (1) (i).

22          **SECTION 1150.** 46.515 (1) (j) of the statutes is renumbered 48.983 (1) (j).

23          **SECTION 1151.** 46.515 (2) of the statutes is renumbered 48.983 (2) and amended

24          to read:



1        48.983 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected  
2        by the department under sub. (5) to participate in the program under this section,  
3        the department shall award, from the appropriation under s. ~~20.435 (5)~~ 20.437 (2)  
4        (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and  
5        (am). The minimum amount of a grant is \$10,000. The department shall determine  
6        the amount of a grant awarded to a county, other than a county with a population of  
7        500,000 or more, or Indian tribe in excess of the minimum amount based on the  
8        number of births that are funded by medical assistance under subch. IV of ch. 49 in  
9        that county or the reservation of that Indian tribe in proportion to the number of  
10        births that are funded by medical assistance under subch. IV of ch. 49 in all of the  
11        counties and the reservations of all of the Indian tribes to which grants are awarded  
12        under this section. The department shall determine the amount of a grant awarded  
13        to a county with a population of 500,000 or more in excess of the minimum amount  
14        based on 60% of the number of births that are funded by medical assistance under  
15        subch. IV of ch. 49 in that county in proportion to the number of births that are  
16        funded by medical assistance under subch. IV of ch. 49 in all of the counties and the  
17        reservations of all of the Indian tribes to which grants are awarded under this  
18        section.

19        **SECTION 1152.** 46.515 (3) of the statutes is renumbered 48.983 (3).

20        **SECTION 1153.** 46.515 (4) of the statutes is renumbered 48.983 (4).

21        **SECTION 1154.** 46.515 (5) of the statutes is renumbered 48.983 (5) and amended  
22        to read:

23        48.983 (5) **SELECTION OF COUNTIES AND INDIAN TRIBES.** The department shall  
24        provide competitive application procedures for selecting counties and Indian tribes  
25        for participation in the program under this section. The department shall establish

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

18 **SECTION 1155.** 46.515 (6) (intro.) of the statutes is renumbered 48.983 (6)  
19 (intro.).

20 **SECTION 1156.** 46.515 (6) (a) of the statutes is renumbered 48.983 (6) (a).

21 **SECTION 1157.** 46.515 (6) (b) of the statutes is renumbered 48.983 (6) (b).

22 **SECTION 1158.** 46.515 (6) (c) of the statutes is renumbered 48.983 (6) (c).

23 **SECTION 1159.** 46.515 (6) (d) (title) of the statutes is renumbered 48.983 (6) (d)  
24 (title).

25 **SECTION 1160.** 46.515 (6) (d) 1. of the statutes is renumbered 48.983 (6) (d) 1.

1           **SECTION 1161.** 46.515 (6) (d) 2. of the statutes is renumbered 48.983 (6) (d) 2.  
2 and amended to read:

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

12           **SECTION 1162.** 46.515 (6) (e) of the statutes is renumbered 48.983 (6) (e).

13           **SECTION 1163.** 46.515 (6g) of the statutes is renumbered 48.983 (6g).

14           **SECTION 1164.** 46.515 (6m) of the statutes is renumbered 48.983 (6m) and  
15 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).

25           **SECTION 1165.** 46.515 (6r) of the statutes is renumbered 48.983 (6r).

1           **SECTION 1166.** 46.515 (7) of the statutes is renumbered 48.983 (7).

2           **SECTION 1167.** 46.515 (8) of the statutes is renumbered 48.983 (8).

3           **SECTION 1167n.** 46.54 of the statutes is amended to read:

4           **46.54 Consumer and family self-help and peer-support programs.**

5           From the appropriation under s. 20.435 (7) (md), the department may ~~not~~ shall  
6           distribute ~~more than~~ \$874,000 in each fiscal year to increase support for mental  
7           health family support projects, employment projects operated by consumers of  
8           mental health services, mental health crisis intervention and drop-in projects, and  
9           public mental health information activities.

10          **SECTION 1168.** 46.75 (title) of the statutes is renumbered 49.171 (title).

11          **SECTION 1169.** 46.75 (1) of the statutes is renumbered 49.171 (1).

12          **SECTION 1170.** 46.75 (2) (title) of the statutes is renumbered 49.171 (2) (title).

13          **SECTION 1171.** 46.75 (2) (a) of the statutes is renumbered 49.171 (2) (a) and  
14          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          **SECTION 1172.** 46.75 (2) (b) of the statutes is renumbered 49.171 (2) (b).

20          **SECTION 1173.** 46.75 (3) of the statutes is renumbered 49.171 (3).

21          **SECTION 1174.** 46.76 (intro.) of the statutes is renumbered 49.172 (intro.).

22          **SECTION 1175.** 46.76 (1) of the statutes is renumbered 49.172 (1).

23          **SECTION 1176.** 46.76 (2) of the statutes is renumbered 49.172 (2).

24          **SECTION 1176d.** 46.76 (4) of the statutes is renumbered 49.172 (4).

25          **SECTION 1176f.** 46.76 (5) of the statutes is renumbered 49.172 (5).

**SECTION 1179**

1           **SECTION 1179.** 46.766 of the statutes is repealed.

2           **SECTION 1180.** 46.77 of the statutes is renumbered 49.1715 and amended to  
3 read:

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

9           **SECTION 1181.** 46.95 (title) of the statutes is renumbered 49.165 (title).

10          **SECTION 1182.** 46.95 (1) of the statutes is renumbered 49.165 (1).

11          **SECTION 1183.** 46.95 (2) (title) of the statutes is renumbered 49.165 (2) (title).

12          **SECTION 1185.** 46.95 (2) (a) of the statutes is renumbered 49.165 (2) (a) and  
13 amended to read:

14           49.165 (2) (a) The secretary shall make grants from the ~~appropriations~~  
15 appropriation accounts under s. ~~20.435 (3)~~ 20.437 (1) (cd) and (hh) to organizations  
16 for the provision of any of the services specified in sub. (1) (d). Grants may be made  
17 to organizations which have provided those domestic abuse services in the past or to  
18 organizations which propose to provide those services in the future. No grant may  
19 be made to fund services for child or unborn child abuse or abuse of elderly persons.

20          **SECTION 1186.** 46.95 (2) (b) of the statutes is renumbered 49.165 (2) (b).

21          **SECTION 1187.** 46.95 (2) (c) of the statutes is renumbered 49.165 (2) (c).

22          **SECTION 1188.** 46.95 (2) (d) of the statutes is renumbered 49.165 (2) (d).

23          **SECTION 1189.** 46.95 (2) (e) of the statutes is renumbered 49.165 (2) (e).

24          **SECTION 1190.** 46.95 (2) (f) (intro.) of the statutes is renumbered 49.165 (2) (f)  
25 (intro.) and amended to read:

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

3           **SECTION 1191.** 46.95 (2) (f) 1. of the statutes is renumbered 49.165 (2) (f) 1.

4           **SECTION 1192.** 46.95 (2) (f) 5. of the statutes is renumbered 49.165 (2) (f) 5.

5           **SECTION 1193.** 46.95 (2) (f) 6. of the statutes is renumbered 49.165 (2) (f) 6.

6           **SECTION 1194.** 46.95 (2) (f) 7. of the statutes is renumbered 49.165 (2) (f) 7.

7           **SECTION 1195.** 46.95 (2) (f) 8. of the statutes is renumbered 49.165 (2) (f) 8.

8           **SECTION 1196.** 46.95 (2) (f) 9. of the statutes is renumbered 49.165 (2) (f) 9.

9           **SECTION 1197.** 46.95 (2) (f) 10. of the statutes is renumbered 49.165 (2) (f) 10.

10          **SECTION 1198.** 46.95 (2m) of the statutes is renumbered 49.165 (2m).

11          **SECTION 1199.** 46.95 (3) of the statutes is renumbered 49.165 (3).

12          **SECTION 1200.** 46.95 (4) of the statutes is renumbered 49.165 (4).

13          **SECTION 1201.** 46.976 of the statutes is repealed.

14          **SECTION 1202.** 46.985 (2) (a) 2. of the statutes is repealed.

15          **SECTION 1203.** 46.985 (2) (f) of the statutes is created to read:

16           46.985 (2) (f) Establish criteria for priority of services that take into account  
17 urgency of need, statewide consistency, developmental impact on eligible children,  
18 and other factors, so as to ensure that available funds are used consistently and  
19 effectively.

20          **SECTION 1204.** 46.99 (title) of the statutes is renumbered 48.545 (title).

21          **SECTION 1205.** 46.99 (1) of the statutes is renumbered 48.545 (1).

22          **SECTION 1206.** 46.99 (2) (title) of the statutes is renumbered 48.545 (2) (title).

23          **SECTION 1207.** 46.99 (2) (a) (intro.) of the statutes is renumbered 48.545 (2) (a)

24 (intro.) and amended to read:

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

8       **SECTION 1208.** 46.99 (2) (a) 1. of the statutes is renumbered 48.545 (2) (a) 1.

9       **SECTION 1209.** 46.99 (2) (a) 2. of the statutes is renumbered 48.545 (2) (a) 2.

10       **SECTION 1210.** 46.99 (2) (a) 3. of the statutes is renumbered 48.545 (2) (a) 3.

11       **SECTION 1211.** 46.99 (2) (a) 4. of the statutes is renumbered 48.545 (2) (a) 4.

12       **SECTION 1212.** 46.99 (2) (a) 5. of the statutes is renumbered 48.545 (2) (a) 5.

13       **SECTION 1213.** 46.99 (2) (b) of the statutes is renumbered 48.545 (2) (b).

14       **SECTION 1214.** 46.99 (3) of the statutes is renumbered 48.545 (3).

15       **SECTION 1215.** 46.995 (title) of the statutes is renumbered 48.487 (title).

16       **SECTION 1216.** 46.995 (1m) of the statutes is renumbered 48.487 (1m) and  
17       amended to read:

18       **48.487 (1m) TRIBAL ADOLESCENT SERVICES ALLOCATION.** From the appropriation  
19       account under s. ~~20.435 (3)~~ 20.437 (1) (eg), the department may allocate \$210,000 in  
20       each fiscal year to provide the grants specified in subs. (2), (3) (b), and (4m) (b).

21       **SECTION 1217.** 46.995 (2) of the statutes is renumbered 48.487 (2).

22       **SECTION 1218.** 46.995 (3) of the statutes is renumbered 48.487 (3).

23       **SECTION 1219.** 46.995 (4m) of the statutes is renumbered 48.487 (4m).

24       **SECTION 1220.** 46.997 (title) of the statutes is renumbered 48.647 (title).

25       **SECTION 1221.** 46.997 (1) of the statutes is renumbered 48.647 (1).



1       **SECTION 1222.** 46.997 (2) (title) of the statutes is renumbered 48.647 (2) (title).

2       **SECTION 1223.** 46.997 (2) (a) of the statutes is renumbered 48.647 (2) (a) and  
3       amended to read:

4       48.647 (2) (a) From the appropriation under s. 20.435-~~(3)~~ 20.437 (1) (f), the  
5       department shall distribute not more than \$0 in each fiscal year as grants to private  
6       agencies to provide 2nd-chance homes and related services to eligible persons who  
7       are placed under s. 48.63 (5) in 2nd-chance homes operated by those private  
8       agencies. A private agency that is awarded a grant under this paragraph may use  
9       the amount awarded under the grant to provide care and maintenance to eligible  
10      persons who are placed under s. 48.63 (5) in a 2nd-chance home operated by the  
11      private agency; provide services, including the services specified in sub. (3), to  
12      eligible persons who currently are or formerly were placed under s. 48.63 (5) in the  
13      2nd-chance home, to the children and families of those eligible persons, and to the  
14      noncustodial parents of the children of those eligible persons; and, in the first year  
15      of the grant period, pay for the start-up costs, other than capital costs, of the private  
16      agency's program funded under this paragraph.

17      **SECTION 1224.** 46.997 (2) (b) of the statutes is renumbered 48.647 (2) (b) and  
18      amended to read:

19      48.647 (2) (b) The department of ~~health and family services~~ shall award the  
20      grants under par. (a) on a competitive basis and according to request-for-proposal  
21      procedures that the department of ~~health and family services~~ shall prescribe in  
22      consultation with the department of ~~workforce development~~, local health  
23      departments, as defined in s. 250.01 (4), and other providers of services to eligible  
24      persons. Those request-for-proposal procedures shall include a requirement that  
25      a private agency that applies for a grant under par. (a) include in its grant application

1 proof that the private agency has the cultural competency to provide services under  
2 the grant to persons and families in the various cultures in the private agency's  
3 target population and that cultural competency is incorporated in the private  
4 agency's policies, administration, and practices. In awarding the grants under par.  
5 (a), the department of health and family services shall consider the need for those  
6 grants to be distributed both on a statewide basis and in the areas of the state with  
7 the greatest need for 2nd-chance homes and the need to provide placements for  
8 children who are voluntarily placed in a 2nd-chance home as well as for children who  
9 are placed in a 2nd-chance home by court order.

10 **SECTION 1225.** 46.997 (2) (c) of the statutes is renumbered 48.647 (2) (c).

11 **SECTION 1226.** 46.997 (2) (d) of the statutes is renumbered 48.647 (2) (d).

12 **SECTION 1227.** 46.997 (2) (e) of the statutes is renumbered 48.647 (2) (e).

13 **SECTION 1228.** 46.997 (3) of the statutes is renumbered 48.647 (3).

14 **SECTION 1229.** 46.997 (4) of the statutes is renumbered 48.647 (4) and amended  
15 to read:

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

1           **SECTION 1230.** 48.01 (1) (h) of the statutes is created to read:

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

7           **SECTION 1231.** 48.02 (4) of the statutes is amended to read:

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

10          **SECTION 1232.** 48.02 (16) of the statutes is created to read:

11          48.02 (16) "Secretary" means the secretary of children and families.

12          **SECTION 1233.** 48.06 (4) of the statutes is amended to read:

13          48.06 (4) STATE AID. State aid to any county for court services under this section  
14 shall be at the same net effective rate that each county is reimbursed for county  
15 administration under s. 46.495 48.569. Counties having a population of less than  
16 500,000 may use funds received under s. 46.495 48.569 (1) (d), including county or  
17 federal revenue sharing funds allocated to match funds received under s. 46.495  
18 48.569 (1) (d), for the cost of providing court attached intake services in amounts not  
19 to exceed 50% of the cost of providing court attached intake services or \$30,000 per  
20 county per calendar year, whichever is less.

21          **SECTION 1234.** 48.21 (5) (b) 1. of the statutes is renumbered 48.21 (5) (b) 1. a.  
22 and amended to read:

23          48.21 (5) (b) 1. a. A finding that continued placement of the child in his or her  
24 home would be contrary to the welfare of the child. ~~Unless the judge or circuit court~~

1 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to  
2 5. applies, the order shall in addition include a

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

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

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

23 **SECTION 1235.** 48.21 (5) (b) 1. d. of the statutes is created to read:

24 48.21 (5) (b) 1. d. If the child is under the supervision of the county department  
25 or, in a county having a population of 500,000 or more, the department, an order

1 ordering the child into the placement and care responsibility of the county  
2 department or department as required under 42 USC 672 (a) (2) and assigning the  
3 county department or department primary responsibility for providing services to  
4 the child.

5 **SECTION 1236.** 48.21 (5) (c) of the statutes is amended to read:

6 48.21 (5) (c) The judge or circuit court commissioner shall make the findings  
7 specified in par. (b) 1., 1m., and 3. on a case-by-case basis based on circumstances  
8 specific to the child and shall document or reference the specific information on  
9 which those findings are based in the custody order. A custody order that merely  
10 references par. (b) 1., 1m., or 3. without documenting or referencing that specific  
11 information in the custody order or an amended custody order that retroactively  
12 corrects an earlier custody order that does not comply with this paragraph is not  
13 sufficient to comply with this paragraph.

14 **SECTION 1237.** 48.235 (4) (b) of the statutes is amended to read:

15 48.235 (4) (b) The court shall order the agency identified under s. 48.355 (2) (b)  
16 1. 48.33 (1) (c) as primarily responsible for the provision of services to notify the  
17 guardian ad litem, if any, regarding actions to be taken under par. (a).

18 **SECTION 1238.** 48.235 (4m) (b) of the statutes is amended to read:

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

22 **SECTION 1239.** 48.275 (2) (d) 2. of the statutes is amended to read:

23 48.275 (2) (d) 2. In a county having a population of 500,000 or more,  
24 reimbursement payments shall be made to the clerk of courts of the county where the  
25 proceedings took place. Each payment shall be transmitted to the secretary of

1 administration, who shall deposit the amount paid in the general fund and credit  
2 25% of the amount paid to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)  
3 (gx) and the remainder to the appropriation account under s. 20.550 (1) (L).

4 **SECTION 1240.** 48.30 (6) (b) of the statutes is amended to read:

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

16 **SECTION 1241.** 48.31 (7) (b) of the statutes is amended to read:

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

1 services under s. 46.247 ~~49.345~~ (14) (g) and listing the factors that a court may  
2 consider under s. 46.10 ~~49.345~~ (14) (c).

3 **SECTION 1242.** 48.315 (2m) (a) 1. of the statutes is amended to read:

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

11 **SECTION 1243.** 48.32 (1) (b) 1. of the statutes is renumbered 48.32 (1) (b) 1.  
12 (intro.) and amended to read:

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

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

20 b. A finding as to whether the county department, the department, in a county  
21 having a population of 500,000 or more, or the agency primarily responsible for  
22 providing services to the child has made reasonable efforts to prevent the removal  
23 of the child from the home, while assuring that the child's health and safety are the  
24 paramount concerns, unless the judge or circuit court commissioner finds that any  
25 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           **SECTION 1244.** 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           **SECTION 1245.** 48.33 (4m) (intro.) of the statutes is amended to read:

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

19           **SECTION 1246.** 48.33 (4m) (b) of the statutes is amended to read:

20           48.33 (4m) (b) A written explanation of how the parent may request that the  
21 court modify the amount of child support under s. ~~46.10~~ 49.345 (14) (c).

22           **SECTION 1247.** 48.335 (3g) of the statutes is renumbered 48.335 (3g) (intro.) and  
23 amended to read:

24           48.335 (3g) (intro.) At hearings under this section, if the agency, as defined in  
25 s. 48.38 (1) (a), is recommending placement of the child in a foster home, treatment



1 foster home, group home, or residential care center for children and youth or in the  
2 home of a relative other than a parent, the agency shall present as evidence specific  
3 information showing that all of the following:

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

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

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

16 **SECTION 1248.** 48.355 (2) (b) 1. of the statutes is amended to read:

17 48.355 (2) (b) 1. The specific services ~~or continuum of services~~ to be provided  
18 to the child and family, to the child expectant mother and family, or to the adult  
19 expectant mother, ~~the identity of the agencies which are to be primarily responsible~~  
20 ~~for the provision of the services ordered by the judge, the identity of the person or~~  
21 ~~agency who will provide case management or coordination of services, if any, and, if~~  
22 custody of the child is to be transferred to effect the treatment plan, the identity of  
23 the legal custodian.

24 **SECTION 1249.** 48.355 (2) (b) 6g. of the statutes is created to read:

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

7 **SECTION 1250.** 48.357 (1) (am) 3. of the statutes is amended to read:

8 48.357 (1) (am) 3. If the court changes the child's placement from a placement  
9 outside the home to another placement outside the home, the change in placement  
10 order shall contain ~~one of the statements~~ the applicable order specified in sub. (2v)  
11 (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

12 **SECTION 1251.** 48.357 (1) (c) 3. of the statutes is amended to read:

13 48.357 (1) (c) 3. If the court changes the child's placement from a placement in  
14 the child's home to a placement outside the child's home, the change in placement  
15 order shall contain the findings specified in sub. (2v) (a) 1., ~~one of the statements~~ the  
16 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in  
17 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances  
18 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the  
19 determination specified in sub. (2v) (a) 3.

20 **SECTION 1252.** 48.357 (2m) (c) of the statutes is amended to read:

21 48.357 (2m) (c) If the court changes the child's placement from a placement in  
22 the child's home to a placement outside the child's home, the change in placement  
23 order shall contain the findings specified in sub. (2v) (a) 1., ~~one of the statements~~ the  
24 applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in  
25 sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances

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

6 **SECTION 1253.** 48.357 (2v) (a) 1m. of the statutes is created to read:

7 48.357 (2v) (a) 1m. If the change in placement order changes the placement of  
8 a child who is under the supervision of the county department or, in a county having  
9 a population of 500,000 or more, the department to a placement outside the child's  
10 home, whether from a placement in the home or from another placement outside the  
11 home, an order ordering the child into, or to be continued in, the placement and care  
12 responsibility of the county department or department as required under 42 USC  
13 672 (a) (2) and assigning the county department or department primary  
14 responsibility, or continued primary responsibility, for providing services to the  
15 child.

16 **SECTION 1254.** 48.357 (5m) (a) of the statutes is amended to read:

17 48.357 (5m) (a) If a proposed change in placement changes a child's placement  
18 from a placement in the child's home to a placement outside the child's home, the  
19 court shall order the child's parent to provide a statement of income, assets, debts  
20 and living expenses to the court or the person or agency primarily responsible for  
21 implementing the dispositional order by a date specified by the court. The clerk of  
22 court shall provide, without charge, to any parent ordered to provide a statement of  
23 income, assets, debts, and living expenses a document setting forth the percentage  
24 standard established by the department of workforce development under s. 49.22 (9)  
25 and the manner of its application established by the department of health and family

1 services under s. 46.247 49.345 (14) (g) and listing the factors that a court may  
2 consider under s. 46.10 49.345 (14) (c). If the child is placed outside the child's home,  
3 the court shall determine the liability of the parent in the manner provided in s. 46.10  
4 49.345 (14).

5 **SECTION 1255.** 48.36 (1) (a) of the statutes is amended to read:

6 48.36 (1) (a) If legal custody is transferred from the parent or guardian or the  
7 court otherwise designates an alternative placement for the child by a disposition  
8 made under s. 48.345 or by a change in placement under s. 48.357, the duty of the  
9 parent or guardian or, in the case of a transfer of guardianship and custody under  
10 s. 48.839 (4), the duty of the former guardian to provide support shall continue even  
11 though the legal custodian or the placement designee may provide the support. A  
12 copy of the order transferring custody or designating alternative placement for the  
13 child shall be submitted to the agency or person receiving custody or placement and  
14 the agency or person may apply to the court for an order to compel the parent or  
15 guardian to provide the support. Support payments for residential services, when  
16 purchased or otherwise funded or provided by the department or a county  
17 department under s. 46.22, 46.23, 51.42 or 51.437, shall be determined under s. 46.10  
18 49.345 (14). Support payments for residential services, when purchased or otherwise  
19 funded by the department of health and family services or a county department  
20 under s. 51.42 or 51.437, shall be determined under s. 46.10 (14).

21 **SECTION 1256.** 48.36 (1) (b) of the statutes is amended to read:

22 48.36 (1) (b) In determining the amount of support under par. (a), the court may  
23 consider all relevant financial information or other information relevant to the  
24 parent's earning capacity, including information reported under s. 49.22 (2m) to the  
25 department of workforce development or the county child support agency under s.

1 59.53 (5). If the court has insufficient information with which to determine the  
2 amount of support, the court shall order the child's parent to furnish a statement of  
3 income, assets, debts, and living expenses, if the parent has not already done so, to  
4 the court within 10 days after the court's order transferring custody or designating  
5 an alternative placement is entered or at such other time as ordered by the court.

6 **SECTION 1257.** 48.36 (2) of the statutes is amended to read:

7 48.36 (2) If an expectant mother or a child whose legal custody has not been  
8 taken from a parent or guardian is given educational and social services, or medical,  
9 psychological or psychiatric treatment by order of the court, the cost of those services  
10 or that treatment, if ordered by the court, shall be a charge upon the county in a  
11 county having a population of less than 500,000 or the department in a county having  
12 a population of 500,000 or more. This section does not prevent recovery of reasonable  
13 contribution toward the costs from the parent or guardian of the child or from an  
14 adult expectant mother as the court may order based on the ability of the parent,  
15 guardian or adult expectant mother to pay. This subsection shall be subject to s.  
16 ~~46.03 (18)~~ 49.32 (1).

17 **SECTION 1258.** 48.361 (2) (c) of the statutes is amended to read:

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

1           **SECTION 1259.** 48.362 (4) (c) of the statutes is amended to read:

2           48.362 (4) (c) A county department that pays for court-ordered special  
3 treatment or care under par. (a) may recover from the parent or adult expectant  
4 mother, based on the ability of the parent or adult expectant mother to pay, a  
5 reasonable contribution toward the costs of the court-ordered special treatment or  
6 care. This paragraph is subject to s. ~~46.03 (18)~~ 49.32 (1).

7           **SECTION 1260.** 48.363 (1) (c) of the statutes is amended to read:

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

19           **SECTION 1261.** 48.363 (2) of the statutes is amended to read:

20           48.363 (2) If the court revises a dispositional order with respect to the amount  
21 of child support to be paid by a parent for the care and maintenance of the parent's  
22 minor child who has been placed by a court order under this chapter in a residential,  
23 nonmedical facility, the court shall determine the liability of the parent in the  
24 manner provided in s. ~~46.10~~ 49.345 (14).

25           **SECTION 1262.** 48.38 (2) (intro.) of the statutes is amended to read:

1           48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),  
2           for each child living in a foster home, treatment foster home, group home, residential  
3           care center for children and youth, juvenile detention facility, or shelter care facility,  
4           the agency that placed the child or arranged the placement or the agency assigned  
5           primary responsibility for providing services to the child under s. 48.355 (2) (b) 6g.  
6           shall prepare a written permanency plan, if any of the following conditions exists,  
7           and, for each child living in the home of a relative other than a parent, that agency  
8           shall prepare a written permanency plan, if any of the conditions specified in pars.  
9           (a) to (e) exists:

10           **SECTION 1263.** 48.417 (2) (c) of the statutes is amended to read:

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

17           **SECTION 1264.** 48.425 (1) (c) of the statutes is amended to read:

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

1 information showing that the agency primarily responsible for providing services to  
2 the child has made reasonable efforts to achieve the goal of the child's permanency  
3 plan.

4 **SECTION 1265.** 48.43 (1) (am) of the statutes is created to read:

5 48.43 (1) (am) If the department or a county department receives guardianship  
6 or custody of the child under par. (a), an order ordering the child into the placement  
7 and care responsibility of the department or county department as required under  
8 42 USC 672 (a) (2) and assigning the department or county department primary  
9 responsibility for providing services to the child.

10 **SECTION 1266.** 48.43 (1) (cm) of the statutes is created to read:

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

21 **SECTION 1267.** Subchapter XI (title) of chapter 48 [precedes 48.468] of the  
22 statutes is amended to read:

23 **CHAPTER 48**

24 **SUBCHAPTER XI**



PURPOSE, DUTIES, AND AUTHORITY

OF DEPARTMENT

**SECTION 1267g.** 48.468 of the statutes is created to read:

**48.468 Purpose of department.** The purpose of the department is to focus on integrating the child welfare, child care, and child support services provided in this state and the services provided under the Wisconsin Works program and on increasing collaboration and efficiency in providing those services.

**SECTION 1268.** 48.47 (intro.) of the statutes is created to read:

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

**SECTION 1269.** 48.47 (3) of the statutes is created to read:

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

**SECTION 1270.** 48.47 (4) of the statutes is created to read:

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

**SECTION 1271.** 48.47 (7) (title) of the statutes is created to read:

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

**SECTION 1272.** 48.48 (2b) of the statutes is created to read:

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

**SECTION 1273.** 48.48 (4) of the statutes is created to read:

1           48.48 (4) In order to discharge more effectively its responsibilities under this  
2 chapter and other relevant provisions of the statutes, to study causes and methods  
3 of prevention and treatment of problems among children and families and related  
4 social problems. The department may utilize all powers provided by the statutes,  
5 including the authority to accept grants of money or property from federal, state, or  
6 private sources, and enlist the cooperation of other appropriate agencies and state  
7 departments.

8           **SECTION 1274.** 48.48 (12) (a) of the statutes is amended to read:

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

14           **SECTION 1275.** 48.48 (17) (am) of the statutes is created to read:

15           48.48 (17) (am) The requirement of statewide uniformity with respect to the  
16 organization and governance of human services does not apply to the administration  
17 of child welfare services under par. (a).

18           **SECTION 1276.** 48.48 (17) (c) (intro.) of the statutes is amended to read:

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

22           **SECTION 1277.** 48.48 (17) (c) 3. of the statutes is amended to read:

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

1       **SECTION 1278.** 48.48 (17) (d) of the statutes is amended to read:

2       48.48 (17) (d) The funding provided for the maintenance of a child under par.  
3       (c) shall be in an amount equal to that which the child would receive under s. 20.435  
4       (3) 20.437 (1) (cx), (gx), (kw), and (mx) or 46.495 48.569 (1) (d) if the child were 17  
5       years of age.

6       **SECTION 1279.** 48.48 (18) of the statutes is created to read:

7       48.48 (18) To contract with public or voluntary agencies or others for the  
8       following purposes:

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

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

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

18       **SECTION 1283.** 48.547 (2) of the statutes is amended to read:

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

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 1284g.** 48.55 (1) of the statutes is amended to read:

5 48.55 (1) The department shall establish a state adoption information  
6 exchange for the purpose of finding adoptive homes for children with special needs  
7 who do not have permanent homes and a state adoption center for the purposes of  
8 increasing public knowledge of adoption and promoting to adolescents and pregnant  
9 women the availability of adoption services. From the appropriation under s. ~~20.435~~  
10 ~~(3)~~ 20.437 (1) (dg), the department may provide not more than \$163,700 in fiscal year  
11 ~~2001-02 and not more than \$171,300 in each fiscal year thereafter~~ as grants to  
12 individuals and private agencies to provide adoption information exchange services  
13 and to operate the state adoption center.

14 **SECTION 1285.** 48.561 (3) (a) 1. of the statutes is amended to read:

15 48.561 (3) (a) 1. Through a reduction of \$37,209,200 from the ~~amount~~ amounts  
16 distributed to that county under ~~s. ss. 46.40 (2) and 48.563 (2)~~ in each state fiscal year.

17 **SECTION 1286.** 48.561 (3) (b) of the statutes is amended to read:

18 48.561 (3) (b) The department of administration shall collect the amount  
19 specified in par. (a) 3. from a county having a population of 500,000 or more by  
20 deducting all or part of that amount from any state payment due that county under  
21 s. 79.03, 79.04, 79.058, 79.06, or 79.08. The department of administration shall  
22 notify the department of revenue, by September 15 of each year, of the amount to be  
23 deducted from the state payments due under s. 79.03, 79.04, 79.058, 79.06, or 79.08.  
24 The department of administration shall credit all amounts collected under this  
25 paragraph to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1) (kw) and shall

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

6 **SECTION 1287.** 48.563 of the statutes is created to read:

7 **48.563 Children and family aids funding.** (1) DISTRIBUTION LIMITS. (a)

8 Within the limits of available federal funds and of the appropriations under s. 20.437  
9 (1) (b) and (o), the department shall distribute funds for children and family services  
10 to county departments as provided in subs. (2), (3), and (7m) and s. 48.986.

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

16 (2) BASIC COUNTY ALLOCATION. For children and family services under s. 48.569  
17 (1) (d), the department shall distribute not more than \$67,756,000 in each fiscal year.

18 (14m) COUNTY CHILDREN AND FAMILY AIDS BUDGETS. Before December 1 of each  
19 year, each county department and each tribal governing body shall submit to the  
20 department a proposed budget for the expenditure of funds allocated under this  
21 section, distributed under s. 48.565 (2) (a), or carried forward under s. 48.565 (3). The  
22 proposed budget shall be submitted on a form developed by the department and  
23 approved by the department of administration.

24 **SECTION 1288.** 48.565 of the statutes is created to read:

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

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

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

24           **SECTION 1289.** 48.567 of the statutes is created to read:

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

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

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

23        **SECTION 1290.** 48.568 of the statutes is created to read:

24        **48.568 Allocation of federal funds for children and family aids and**  
25        **child welfare.** Subject to s. 48.563 (1) (b) and (c), if the department receives

1 unanticipated federal foster care and adoption assistance payments under 42 USC  
2 670 to 679a and it proposes to allocate the unanticipated funds so that an allocation  
3 limit in s. 48.563 is exceeded, the department shall submit a plan for the proposed  
4 allocation to the secretary of administration. If the secretary of administration  
5 approves the plan, he or she shall submit it to the joint committee on finance. If the  
6 cochairpersons of the committee do not notify the secretary of administration that  
7 the committee has scheduled a meeting for the purpose of reviewing the plan within  
8 14 working days after the date of his or her submittal, the department may  
9 implement the plan, notwithstanding any allocation limits under s. 48.563. If within  
10 14 working days after the date of the submittal by the secretary of administration  
11 the cochairpersons of the committee notify him or her that the committee has  
12 scheduled a meeting for the purpose of reviewing the plan, the department may  
13 implement the plan, notwithstanding s. 48.563, only with the approval of the  
14 committee.

15 **SECTION 1291.** 48.569 of the statutes is created 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.

**SECTION 1291**

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 **SECTION 1292.** 48.57 (1) (g) of the statutes is amended to read:

22 48.57 (1) (g) Upon request of the department of ~~health and family services~~ or  
23 the department of corrections, to provide service for any child or expectant mother  
24 of an unborn child in the care of those departments.

25 **SECTION 1293.** 48.57 (3) (a) 3. (intro.) of the statutes is amended to read:

1 48.57 (3) (a) 3. (intro.) Received funding under s. 48.569 (1) (d) or under s.  
2 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday; and

3 **SECTION 1294.** 48.57 (3) (b) of the statutes is amended to read:

4 48.57 (3) (b) The funding provided for the maintenance of a child under par. (a)  
5 shall be in an amount equal to that which the child would receive under s. 46.495  
6 48.569 (1) (d) if the child were 17 years of age.

7 **SECTION 1295.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

8 48.57 (3m) (am) (intro.) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)  
9 (kc), the department shall reimburse counties having populations of less than  
10 500,000 for payments made under this subsection and shall make payments under  
11 this subsection in a county having a population of 500,000 or more. A county  
12 department and, in a county having a population of 500,000 or more, the department  
13 shall make payments in the amount of \$215 per month to a kinship care relative who  
14 is providing care and maintenance for a child if all of the following conditions are met:

15 **SECTION 1296.** 48.57 (3m) (e) of the statutes is amended to read:

16 48.57 (3m) (e) The department shall determine whether the child is eligible  
17 for medical assistance under ss. 49.43 to ~~49.47~~ 49.471.

18 **SECTION 1297.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

19 48.57 (3n) (am) (intro.) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)  
20 (kc), the department shall reimburse counties having populations of less than  
21 500,000 for payments made under this subsection and shall make payments under  
22 this subsection in a county having a population of 500,000 or more. A county  
23 department and, in a county having a population of 500,000 or more, the department  
24 shall make monthly payments for each child in the amount specified in sub. (3m)

1 (am) (intro.) to a long-term kinship care relative who is providing care and  
2 maintenance for that child if all of the following conditions are met:

3 **SECTION 1298.** 48.57 (3n) (e) of the statutes is amended to read:

4 48.57 (3n) (e) The department shall determine whether the child is eligible for  
5 medical assistance under ss. 49.43 to 49.47 49.471.

6 **SECTION 1299.** 48.57 (3p) (b) 1. of the statutes is amended to read:

7 48.57 (3p) (b) 1. After receipt of an application for payments under sub. (3m)  
8 or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a  
9 population of 500,000 or more, the department of ~~health and family services~~, with  
10 the assistance of the department of justice, shall conduct a background investigation  
11 of the applicant.

12 **SECTION 1300.** 48.57 (3p) (b) 2. of the statutes is amended to read:

13 48.57 (3p) (b) 2. The county department or, in a county having a population of  
14 500,000 or more, the department of ~~health and family services~~, with the assistance  
15 of the department of justice, may conduct a background investigation of any person  
16 who is receiving payments under sub. (3m) at the time of review under sub. (3m) (d)  
17 or at any other time that the county department or department of ~~health and family~~  
18 ~~services~~ considers to be appropriate.

19 **SECTION 1301.** 48.57 (3p) (b) 3. of the statutes is amended to read:

20 48.57 (3p) (b) 3. 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 person  
23 who is receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) at any time that  
24 the county department or department of ~~health and family services~~ considers to be  
25 appropriate.