



2009 SENATE BILL 475

1 **AN ACT** *to amend* 20.410 (3) (kp) and 938.48 (8p) of the statutes; **relating to:**
2 reimbursement of counties and Indian tribes for unexpected or unusually
3 high-cost out-of-home care placements of Indian juveniles who have been
4 adjudicated delinquent by tribal courts and making an appropriation.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 20.410 (3) (kp) of the statutes, as created by 2009 Wisconsin Act 28,
6 is amended to read:
7 20.410 **(3)** (kp) *Indian juvenile placements.* The amounts in the schedule to be
8 used for unexpected or unusually high-cost out-of-home care placements of Indian
9 juveniles who have been adjudicated delinquent by tribal courts. All moneys
10 transferred from the appropriation account under s. 20.505 (8) (hm) 21d. shall be

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1 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
2 unencumbered balance on June 30 of each year shall revert to the appropriation
3 account under s. 20.505 (8) (hm).

4 **SECTION 2.** 938.48 (8p) of the statutes, as created by 2009 Wisconsin Act 28, is
5 amended to read:

6 **938.48 (8p) INDIAN JUVENILE PLACEMENTS.** Reimburse Indian tribes and county
7 departments, from the appropriation under s. 20.410 (1) (kp), for unexpected or
8 unusually high-cost out-of-home care placements of Indian juveniles who have
9 been adjudicated delinquent by tribal courts. In this subsection, “unusually
10 high-cost out-of-home care placements” means the amount by which the cost to ~~a~~
11 an Indian tribe or to a county department of out-of-home care placements of Indian
12 juveniles who have been adjudicated delinquent by tribal courts exceeds \$50,000 in
13 a fiscal year.

14 (END)