

1 **SECTION 114.** 49.195 (1) and (3) of the statutes are amended to read:

2 **49.195 (1)** If any parent at the time of receiving aid under s. 49.19 or a benefit under
3 s. 49.148, ~~49.155~~ 49.199, or 49.157 or at any time thereafter acquires property by gift,
4 inheritance, sale of assets, court judgment or settlement of any damage claim, or by winning
5 a lottery or prize, the county granting such aid, or the Wisconsin works agency granting such
6 a benefit, may sue the parent on behalf of the department to recover the value of that portion
7 of the aid or of the benefit which does not exceed the amount of the property so acquired. The
8 value of the aid or benefit liable for recovery under this section may not include the value of
9 work performed by a member of the family in a community work experience program under
10 s. 46.215 (1) (o), 1991 stats., s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats.,
11 or in a community work experience component under s. 49.193 (6), 1997 stats. During the
12 life of the parent, the 10-year statute of limitations may be pleaded in defense against any suit
13 for recovery under this section; and if such property is his or her homestead it shall be exempt
14 from execution on the judgment of recovery until his or her death or sale of the property,
15 whichever occurs first. Notwithstanding the foregoing restrictions and limitations, where the
16 aid or benefit recipient is deceased a claim may be filed against any property in his or her estate
17 and the statute of limitations specified in s. 859.02 shall be exclusively applicable. The court
18 may refuse to render judgment or allow the claim in any case where a parent, spouse or child
19 is dependent on the property for support, and the court in rendering judgment shall take into
20 account the current family budget requirement as fixed by the U.S. department of labor for the
21 community or as fixed by the authorities of the community in charge of public assistance. The
22 records of aid or benefits paid kept by the county, by the department or by the Wisconsin works
23 agency are prima facie evidence of the value of the aid or benefits furnished. Liability under
24 this section shall extend to any parent or stepparent whose family receives aid under s. 49.19

1 or benefits under s. 49.148, 49.155 or 49.157 during the period that he or she is a member of
2 the same household, but his or her liability is limited to such period. This section does not
3 apply to medical and health assistance payments for which recovery is prohibited or restricted
4 by federal law or regulation.

5 (3) A county, tribal governing body, Wisconsin works agency or the department shall
6 determine whether an overpayment has been made under s. 49.19, 49.148, ~~49.155, 49.199,~~ or
7 49.157 and, if so, the amount of the overpayment. The county, tribal governing body,
8 Wisconsin works agency or department shall provide notice of the overpayment to the liable
9 person. The department shall give that person an opportunity for a review following the
10 procedure specified under s. 49.152 or 49.1525, if the person received the overpayment under
11 s. 49.141 to 49.161, and for a hearing under ch. 227. Notwithstanding s. 49.96, the department
12 shall promptly recover all overpayments made under s. 49.19, 49.148, ~~49.155, 49.199,~~ or
13 49.157 that have not already been received under s. 49.161 ~~or 49.19 (17)~~ and shall promulgate
14 rules establishing policies and procedures to administer this subsection. The rules shall
15 include notification procedures similar to those established for child support collections.

NOTE: Adds a reference to the provision created in this draft relating to
review of Wisconsin Shares decisions.

16 SECTION 115. 49.195 (3) of the statutes is renumbered 49.195 (3) (a).

17 SECTION 116. 49.195 (3) and (3m) (f) of the statutes are amended to read:

18 49.195 (3) A county, tribal governing body, Wisconsin works agency or the department
19 shall determine whether an overpayment has been made under s. 49.19, 49.148, 49.155 or
20 49.157 and, if so, the amount of the overpayment. The county, tribal governing body,
21 Wisconsin works agency or department shall provide notice of the overpayment to the liable
22 person. The department shall give that person an opportunity for a review following the

1 procedure specified under s. 49.152, if the person received the overpayment under s. 49.141
2 to 49.161, and for a hearing under ch. 227. Notwithstanding s. ~~49.96~~ 49.043, the department
3 shall promptly recover all overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that
4 have not already been received under s. 49.161 or 49.19 (17) and shall promulgate rules
5 establishing policies and procedures to administer this subsection. The rules shall include
6 notification procedures similar to those established for child support collections.

7 (3m) (f) Notwithstanding s. ~~49.96~~ 49.043, at any time after the filing of a warrant, the
8 department may commence and maintain a garnishee action as provided by ch. 812 or may
9 use the remedy of attachment as provided by ch. 811 for actions to enforce a judgment. The
10 place of trial of such an action may be either in Dane County or the county where the debtor
11 resides and may not be changed from the county in which that action is commenced, except
12 upon consent of the parties.

13 **SECTION 117.** 49.195 (3) (b) of the statutes is created to read:

14 49.195 (3) (b) The department shall waive recovery of an overpayment under this
15 subsection paid to a child care provider under s. 49.155 if the overpayment is a result of the
16 child care provider's reasonable reliance on incorrect information given by the county
17 department or an agency with which the department contracts under s. 49.155 (1m) regarding
18 the child care provider's eligibility for payment or an individual's eligibility to receive a child
19 care subsidy under s. 49.155.

NOTE: Requires DCF to waive recovery of incorrect payments to a child
care provider if the child care provider provided services in reasonable
reliance on information provided to the child care provider.

20 **SECTION 118.** 49.195 (3n) (q) 2. of the statutes is amended to read:

21 49.195 (3n) (q) 2. The first \$1,000 of an account in a depository institution is exempt
22 from any levy to recover a ~~benefit overpayment~~ debt.

NOTE: Replaces “benefit overpayment” with the defined term “debt” in the section relating to recovery of aid to families with dependent children and Wisconsin works benefits.

1 **SECTION 119.** 49.197 (2) (a) 2. of the statutes is repealed.

NOTE: Repeals a definition for the term “tribal governing body”, which is created in SECTION 41 of the draft.

2 **SECTION 120.** 49.197 (2) (b), (cm) and (5) of the statutes are amended to read:

3 49.197 (2) (b) If a county department, Wisconsin Works agency, or tribal governing
4 body administers the Wisconsin Works program, the county department, Wisconsin Works
5 agency, or tribal governing body may establish a program to investigate suspected fraudulent
6 activity on the part of participants in the Wisconsin Works program under this subchapter,
7 including persons receiving a child care subsidy under s. ~~49.155~~ 49.199, and to recover
8 incorrect payments made or incorrect benefits provided as a result of fraudulent activity.

9 (cm) Any amounts recovered with respect to the child care subsidy program under s.
10 ~~49.155~~ 49.199 by a county department in a county having a population of 500,000 or more as
11 a result of a program under par. (b) or due to the efforts of an employee of such a county who
12 is supervised by the department or the department of health services under s. ~~49.825~~ 49.009
13 shall be credited to the appropriation account under s. 20.437 (2) (me).

14 (5) CONTRACTS FOR MEDICAL ASSISTANCE, FOOD STAMPS, SUPPLEMENTAL SECURITY INCOME,
15 AND CARETAKER SUPPLEMENT. Notwithstanding s. ~~49.845~~ 49.019 (1) and (2), the department
16 of health services may contract with the department to investigate suspected fraudulent
17 activity on the part of recipients of medical assistance under subch. IV, food stamp benefits
18 under the food stamp program under 7 USC 2011 to 2036, supplemental security income
19 payments under s. 49.77, payments for the support of children of supplemental security
20 income recipients under s. 49.775, and health care benefits under the Badger Care health care
21 program under s. 49.665 and to conduct activities to reduce payment errors in the Medical

1 Assistance program under subch. IV, the food stamp program under 7 USC 2011 to 2036, the
2 supplemental security income payments program under s. 49.77, the program providing
3 payments for the support of children of supplemental security income recipients under s.
4 49.775, and the Badger Care health care program under s. 49.665, as provided in this section.

5 **SECTION 121.** 49.22 of the statutes is renumbered 49.811 and 49.811 (2m) (a) and (6),
6 as renumbered, are amended to read:

7 49.811 (2m) (a) The department may request from any person in this state information
8 it determines appropriate and necessary for the administration of this section, ss. 49.141 to
9 49.161, 49.19, 49.46, 49.468, 49.47, and 49.471 and programs carrying out the purposes of
10 7 USC 2011 to 2029. Unless access to the information is prohibited or restricted by law, or
11 unless the person has good cause, as determined by the department in accordance with federal
12 law and regulations, for refusing to cooperate, the person shall make a good faith effort to
13 provide this information within 7 days after receiving a request under this paragraph. Except
14 as provided in subs. (2p) and (2r) and subject to sub. (12), the department or the county child
15 support agency under s. 59.53 (5) may disclose information obtained under this paragraph
16 only in the administration of this section, ss. 49.141 to 49.161, 49.19, 49.46, 49.47, and 49.471
17 and programs carrying out the purposes of 7 USC 2011 to 2029. Employees of the department
18 or a county child support agency under s. 59.53 (5) are subject to s. ~~49.83~~ 49.013.

19 (6) The department shall establish, pursuant to federal and state laws, rules and
20 regulations, a uniform system of fees for services provided under this section to individuals
21 not receiving aid under s. 48.645, 49.19, 49.47, or 49.471; benefits under s. 49.148, ~~49.155~~
22 49.199, or 49.79; foster care maintenance payments under 42 USC 670 to 679a; or kinship care
23 payments under s. 48.57 (3m) or long-term kinship care payments under s. 48.57 (3n). The
24 system of fees may take into account an individual's ability to pay. Any fee paid and collected

1 under this subsection may be retained by the county providing the service except for the fee
2 specified in 42 USC 653 (e) (2) for federal parent locator services.

3 **SECTION 122.** 49.225 of the statutes is renumbered 49.817.

4 **SECTION 123.** 49.227 of the statutes is renumbered 49.819.

5 **SECTION 124.** 49.24 of the statutes is renumbered 49.821, and 49.821 (2) (a) and (c) and
6 (3), as renumbered, are amended to read:

7 (2) (a) The department shall, in consultation with representatives of counties,
8 promulgate a rule that specifies the formula according to which the payments under sub. (1)
9 and federal child support incentive payments will be distributed to counties. The rule shall
10 provide that the total of state and federal incentive payments per year to a county may not
11 exceed the costs per year of the county's child support program under s. ~~49.22~~ 49.811.

12 (c) The department may retain 70% of the amount of federal child support incentive
13 payments awarded to the state for each federal fiscal year that exceeds \$12,340,000, to be used
14 to pay the costs of the department's activities under ss. ~~49.22~~ 49.811 and ~~49.227~~ 49.819 and
15 costs related to receiving and disbursing support and support-related payments.

16 (3) A county that receives any state child support incentive payment under sub. (1) or
17 any federal child support incentive payment under sub. (2) may use the funds only to pay costs
18 under its child support program under s. ~~49.22~~ 49.811.

19 **SECTION 125.** 49.24 (2) (c) of the statutes is amended to read:

20 49.24 (2) (c) The department may retain 70% of the amount of federal child support
21 incentive payments awarded to the state for each federal fiscal year that exceeds \$12,340,000,
22 to be used to pay the costs of the department's activities under ss. 49.22 and ~~49.227~~ 49.819
23 and costs related to receiving and disbursing support and support-related payments.

24 **SECTION 126.** 49.25 of the statutes is renumbered 49.823.

1 **SECTION 127.** 49.26 of the statutes is renumbered 49.198 , and as renumbered, 49.198
2 (1) (c), (d), (e), (ge), and (hr) and (2) (b) are amended to read:

3 (c) A ~~county department or~~ Wisconsin works agency may provide services under this
4 subsection directly or may contract with a nonprofit agency or a school district to provide the
5 services.

6 (d) A ~~county department or~~ Wisconsin Works agency that provides services under this
7 subsection directly shall develop a plan, in coordination with the school districts located in
8 whole or in part in the county, describing the assistance that the ~~county department or~~
9 Wisconsin Works agency and school districts will provide to individuals receiving services
10 under this subsection, the number of individuals that will be served and the estimated cost of
11 the services. The ~~county department or~~ Wisconsin Works agency shall submit the plan to the
12 department and the department of public instruction by January 15, annually.

13 (e) For an individual who is a recipient of aid under s. 49.19, or whose custodial parent
14 is a participant under s. 49.147 (3) to (5), who is the parent with whom a dependent child lives
15 and who is subject to the school attendance requirement under par. (ge), the department shall
16 make a monthly payment to the individual or the child care provider for the month's child care
17 costs in an amount based on need with the maximum amount per child equal to the lesser of
18 the actual cost of the care or the rate established under s. ~~49.155~~ 49.199 (6) if the individual
19 demonstrates the need to purchase child care services in order to attend school and those
20 services are available from a child care provider.

21 (ge) An individual fails to meet the school attendance requirement if the individual is
22 not enrolled in school or was not enrolled in the immediately preceding semester. The
23 Wisconsin works agency ~~or county department~~ shall verify enrollment.

1 (hr) If an individual subject to the school attendance requirement under par. (ge) is
2 enrolled in a public school, communications between the school district and the department,
3 a county department under s. 46.215, 46.22, or 46.23 or a Wisconsin works agency concerning
4 the individual's school attendance may only be made by a school attendance officer, as defined
5 under s. 118.16 (1) (b).

6 (2) (b) ~~County departments or~~ Wisconsin works agencies shall provide case
7 management services to individuals who are subject to the school attendance requirement
8 under the learnfare program under sub. (1) and their families to improve the school attendance
9 and achievement of those individuals.

NOTE: Strikes references to county departments in the learnfare statute.

10 **SECTION 128.** 49.26 (1) (h) 2. and (2) (a) of the statutes are repealed.

NOTE: Repeals references to and a definition for "county department"
and a provision relating to recipients of aid to families with dependent
children in the learnfare statute.

11 **SECTION 129.** 49.265 (1) (c) of the statutes is repealed.

NOTE: Repeals a definition for the term "poverty line", which is defined
at the beginning of the chapter, in s. 49.001 (5).

12 **SECTION 130.** 49.27 of the statutes is renumbered 49.064.

13 **SECTION 131.** 49.29 of the statutes is repealed.

NOTE: Repeals an obsolete section relating to the former aid to families
with dependent children program.

14 **SECTION 132.** 49.32 of the statutes is renumbered 49.06, and 49.06 (1) (a), (6), (9) (title),
15 (a), (b), and (c) and (10m) (a) and (b), as renumbered, are amended to read:

16 (1) (a) Except as provided in s. 49.345 (14) (b) and (c), the department shall establish
17 a uniform system of fees for services provided or purchased under this subchapter and ch. 48
18 by the department, or a county department under s. 46.215, ~~49.22~~ 49.811, or 46.23, except as

1 provided in s. 49.22 (6) and except when, as determined by the department, a fee is
2 administratively unfeasible or would significantly prevent accomplishing the purpose of the
3 service. A county department under s. 46.215, ~~46.22~~ 49.811, or 46.23 shall apply the fees that
4 it collects under this program to cover the cost of those services. The department shall report
5 to the joint committee on finance no later than March 1 of each year on the number of children
6 placed for adoption by the department during the previous year and the costs to the state for
7 services relating to such adoptions.

8 (6) WELFARE REFORM STUDIES. The department shall request proposals from persons in
9 this state for studies of the effectiveness of various program changes, referred to as welfare
10 reform, to the aid to families with dependent children program, including the requirement that
11 certain recipients of aid to families with dependent children with children under age 6
12 participate in training programs, the learnfare school attendance requirement under s. ~~49.26~~
13 49.198 (1) (g) and the modification of the earned income disregard under s. 49.19 (5) (am).
14 The studies shall evaluate the effectiveness of the various efforts, including their
15 cost-effectiveness, in helping individuals gain independence through the securing of jobs and
16 providing financial incentives and in identifying barriers to independence.

17 (9) ~~MONTHLY REPORTS OF RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN~~
18 WISCONSIN WORKS PARTICIPANTS. (a) ~~Each county department under s. 46.215, 46.22, or 46.23~~
19 ~~administering aid to families with dependent children shall maintain a monthly report at its~~
20 ~~office showing the names of all persons receiving aid to families with dependent children~~
21 ~~together with the amount paid during the preceding month.~~ Each Wisconsin Works agency
22 administering Wisconsin Works under ss. 49.141 to 49.161 shall maintain a monthly report
23 at its office showing the names of all persons receiving benefits under s. 49.148 together with
24 the amount paid during the preceding month. Nothing in this paragraph shall be construed to

1 authorize or require the disclosure in the report of any information (names, amounts of aid or
2 otherwise) pertaining to adoptions, or aid furnished for the care of children in foster homes
3 or treatment foster homes under s. 48.645 or 49.19 (10).

4 (b) The report under par. (a) shall be open to public inspection at all times during regular
5 office hours and may be destroyed after the next succeeding report becomes available. Any
6 person except any public officer, seeking permission to inspect such report shall be required
7 to prove his or her identity and to sign a statement setting forth his or her address and the
8 reasons for making the request and indicating that he or she understands the provisions of par.

9 (c) with respect to the use of the information obtained. The use of a fictitious name is a
10 violation of this section. Within 7 days after the record is inspected, or on the next regularly
11 scheduled communication with that person, whichever is sooner, the ~~county department or~~
12 ~~Wisconsin works agency~~ shall notify each person whose name and amount of aid was
13 inspected that the record was inspected and of the name and address of the person making such
14 inspection. ~~County departments under ss. 46.215, 46.22 and 46.23 administering aid to~~
15 ~~families with dependent children and Wisconsin works agencies administering Wisconsin~~
16 ~~works under ss. 49.141 to 49.161 may withhold the right to inspect the name of and amount~~
17 ~~paid to recipients from private individuals who are not inspecting this information for~~
18 ~~purposes related to public, educational, organizational, governmental or research purposes~~
19 ~~until the person whose record is to be inspected is notified by the county department or~~
20 ~~Wisconsin works agency, but in no case may the county department or Wisconsin works~~
21 ~~agency withhold this information for more than 5 working days. The county department or~~
22 ~~Wisconsin works agency shall keep a record of such requests. The record shall indicate the~~
23 ~~name, address, employer and telephone number of the person making the request. If the~~

1 person refuses to provide his or her name, address, employer and telephone number, the
2 request to inspect this information may be denied.

3 (c) It is unlawful to use any information obtained through access to such report for
4 political or commercial purposes. The violation of this provision is punishable upon
5 conviction as provided in s. ~~49.83~~ 49.013.

6 **(10m)** (a) A county department, relief agency under s. ~~49.01~~ 49.801 (3m) or Wisconsin
7 works agency shall, upon request, and after providing the notice to the recipient required by
8 this paragraph, release the current address of a recipient of relief under s. ~~49.01~~ 49.801 (3),
9 aid to families with dependent children or benefits under s. 49.148 to a person, the person's
10 attorney or an employee or agent of that attorney, if the person is a party to a legal action or
11 proceeding in which the recipient is a party or a witness, unless the person is a respondent in
12 an action commenced by the recipient under s. 813.12, 813.122, 813.123, 813.125 or 813.127.
13 If the person is a respondent in an action commenced by the recipient under s. 813.12, 813.122,
14 813.123, 813.125 or 813.127, the county department, relief agency or Wisconsin works
15 agency may not release the current address of the recipient. No county department, relief
16 agency or Wisconsin works agency may release an address under this paragraph until 21 days
17 after the address has been requested. A person requesting an address under this paragraph
18 shall be required to prove his or her identity and his or her participation as a party in a legal
19 action or proceeding in which the recipient is a party or a witness by presenting a copy of the
20 pleading or a copy of the subpoena for the witness. The person shall also be required to sign
21 a statement setting forth his or her name, address and the reasons for making the request and
22 indicating that he or she understands the provisions of par. (b) with respect to the use of the
23 information obtained. The statement shall be made on a form prescribed by the department
24 and shall be sworn and notarized. Within 7 days after an address has been requested under

1 this paragraph, the county department, relief agency or Wisconsin works agency shall mail to
2 each recipient whose address has been requested a notification of that fact on a form prescribed
3 by the department. The form shall also include the date on which the address was requested,
4 the name and address of the person who requested the disclosure of the address, the reason that
5 the address was requested and a statement that the address will be released to the person who
6 requested the address no sooner than 21 days after the date on which the request for the address
7 was made. County departments, relief agencies and Wisconsin works agencies shall keep a
8 record of each request for an address under this paragraph.

9 (b) No person may use an address obtained under this subsection for a purpose that is
10 not connected with the legal action or proceeding to which the person requesting the address
11 is a party. No person may use an address obtained under this subsection for political or
12 commercial purposes. No person may request an address under par. (a) using a fictitious name.
13 Any person who violates this paragraph is subject to the penalties under s. ~~49.83~~ 49.013.

NOTE: Repeals obsolete references to the former aid to families with
dependent children program.

14 **SECTION 133.** 49.32 (3) to (6) of the statutes are repealed.

NOTE: Repeals obsolete subsections relating to the former aid to
families with dependent children program.

15 **SECTION 134.** 49.345 (14) (b) of the statutes is amended to read:

16 49.345 (14) (b) Except as provided in par. (c), and subject to par. (cm), liability of a
17 parent specified in sub. (2) or s. 49.32 (1) for the care and maintenance of the parent's minor
18 child who has been placed by a court order under s. 48.355 or 48.357 in a residential,
19 nonmedical facility such as a group home, foster home, treatment foster home, subsidized
20 guardianship home, or residential care center for children and youth shall be determined by
21 the court by using the percentage standard established by the department under s. ~~49.22~~ 49.811

1 (9) and by applying the percentage standard in the manner established by the department under
2 par. (g).

3 **SECTION 135.** 49.35 of the statutes is renumbered 49.062.

4 **SECTION 136.** 49.35 (1) (bm) of the statutes is repealed.

NOTE: Repeals obsolete paragraph relating to the former aid to families
with dependent children program.

5 **SECTION 137.** 49.36 of the statutes is renumbered 49.165.

6 **SECTION 138.** 49.36 (1) (b) of the statutes is repealed.

NOTE: Repeals a definition for the term “tribal governing body”, which
is created in SECTION 41 of the draft.

7 **SECTION 139.** 49.385 of the statutes is amended to read:

8 **49.385 No action against members of the Menominee Indian tribe in certain cases.**

9 No action shall be commenced under s. 46.10 or ~~49.08~~ 49.808 or any other provision of law
10 for the recovery from assets distributed to members of the Menominee Indian tribe and others
11 by the United States pursuant to P.L. 83-399, as amended, for the value of relief or old-age
12 assistance under s. 49.20, 1971 stats., as affected by chapter 90, laws of 1973, and the value
13 of maintenance in state institutions under ch. 46, furnished prior to termination date as defined
14 in s. 70.057 (1), 1967 stats., to any legally enrolled member of the Menominee Indian tribe,
15 his or her dependents, or lawful distributees of such member under section 3, said P.L. 83-399,
16 as amended. For purposes of this section, “legally enrolled members of the Menominee Indian
17 tribe” shall include only those persons whose names appear on “Final Roll-Menominee
18 Indian Tribe of Wisconsin” as proclaimed by the secretary of the interior November 26, 1957,
19 and published at pages 9951 et seq. of the federal register, Thursday, December 12, 1957.

20 **SECTION 140.** 49.43 (intro.) of the statutes is amended to read:

1 **49.43 Definitions.** (intro.) As used in ss. 49.43 to ~~49.497~~ 49.499 unless the context
2 indicates otherwise:

3 **SECTION 141.** 49.45 (2) (a) 3. and (b) 7. (intro.) and a., (3) (a) and (6y) (a) and (am) of
4 the statutes are amended to read:

5 49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,
6 rehabilitative, and social services under ss. 49.46, 49.468, 49.47, and 49.471 and rules and
7 policies adopted by the department and may, under a contract under s. ~~49.78~~ 49.003 (2),
8 delegate all, or any portion, of this function to the county department under s. 46.215, 46.22,
9 or 46.23 or a tribal governing body.

10 (b) 7. (intro.) Require, as a condition of certification under par. (a) 11., all providers of
11 a specific service that is among those enumerated under s. 49.46 (2), 49.47 (6) (a), or 49.471
12 (11), as specified in this subdivision, to file with the department a surety bond issued by a
13 surety company licensed to do business in this state. Providers subject to this subdivision
14 provide those services specified under s. 49.46 (2), 49.47 (6) (a), or 49.471 (11) for which
15 providers have demonstrated significant potential to violate s. 49.49 (1) (a), (2) (a) ~~or (b), (3),~~
16 ~~(3m) (a), (3p), (4) (a), or (4m) (a)~~ or 946.91 (3) (b), (4), or (5), to require recovery under par.
17 (a) 10., or to need additional sanctions under par. (a) 13. The surety bond shall be payable to
18 the department in an amount that the department determines is reasonable in view of amounts
19 of former recoveries against providers of the specific service and the department's costs to
20 pursue those recoveries. The department shall promulgate rules to implement this subdivision
21 that specify all of the following:

22 a. Services under medical assistance for which providers have demonstrated significant
23 potential to violate s. 49.49 (1) (a), (2) (a) ~~or (b), (3), (3m) (a), (3p), (4) (a), or (4m) (a)~~ or

1 946.91 (3) (b), (4), (5), or (6), to require recovery under par. (a) 10., or to need additional
2 sanctions under par. (a) 13.

3 (3) (a) Reimbursement shall be made to each county department under ss. 46.215,
4 46.22, and 46.23 for any administrative services performed in the Medical Assistance program
5 on the basis of s. ~~49.78~~ 49.003 (8). For purposes of reimbursement under this paragraph,
6 assessments completed under s. 46.27 (6) (a) are administrative services performed in the
7 Medical Assistance program.

8 (6y) (a) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435
9 (4) (b), (o), and (w), the department may distribute funding in each fiscal year to provide
10 supplemental payment to hospitals that enter into a contract under s. ~~49.02~~ 49.803 (2) to
11 provide health care services funded by a relief block grant, as determined by the department,
12 for hospital services that are not in excess of the hospitals' customary charges for the services,
13 as limited under 42 USC 1396b (i) (3). If no relief block grant is awarded under this chapter
14 or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b
15 (i) (3), the department may distribute funds to hospitals that have not entered into a contract
16 under s. ~~49.02~~ 49.803 (2).

17 (am) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4)
18 (b), (h), (o), and (w), the department shall distribute funding in each fiscal year to provide
19 supplemental payments to hospitals that enter into contracts under s. ~~49.02~~ 49.803 (2) with a
20 county having a population of 500,000 or more to provide health care services funded by a
21 relief block grant, as determined by the department, for hospital services that are not in excess
22 of the hospitals' customary charges for the services, as limited under 42 USC 1396b (i) (3).

23 **SECTION 142.** 49.46 (1) of the statutes is renumbered 49.46 (1g).

24 **SECTION 143.** 49.46 (1c) of the statutes is created to read:

1 49.46 (1c) DEFINITION. In this section, "essential person" means any person defined as
2 an essential person under federal Title XVI.

3 **SECTION 144.** 49.4715 (title) of the statutes is created to read:

4 **49.4715 Reimbursement if retroactive eligibility.**

5 **SECTION 145.** 49.475 (6) of the statutes is amended to read:

6 49.475 (6) SHARING INFORMATION. The department of health services shall provide to
7 the department of children and families, for purposes of the medical support liability program
8 under s. 49.22, any information that the department of health services receives under this
9 section. The department of children and families may allow a county child support agency
10 under s. 59.53 (5) or a tribal child support agency access to the information, subject to the use
11 and disclosure restrictions under s. ~~49.83~~ 49.013, and shall consult with the department of
12 health services regarding procedures and methods to adequately safeguard the confidentiality
13 of the information provided under this subsection.

14 **SECTION 146.** 49.49 (1) of the statutes is renumbered 946.91 (2) and amended to read:

15 946.91 (2) FRAUD. ~~(a) Prohibited conduct. No person, in connection with a medical~~
16 ~~assistance program, may:~~ Whoever does any of the following is guilty of a Class H felony,
17 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may
18 be fined not more than \$25,000:

19 ~~1. Knowingly and willfully make~~ (a) Intentionally makes or ~~cause~~ causes to be made
20 any false statement or representation of a material fact in any application for any medical
21 assistance benefit or payment.

22 ~~2. Knowingly and willfully make~~ (b) Intentionally makes or ~~cause~~ causes to be made
23 any false statement or representation of a material fact for use in determining ~~rights~~ eligibility
24 to ~~such~~ any medical assistance benefit or payment.

1 3. (c) Having knowledge of the occurrence of any event affecting the initial or
2 continued ~~right~~ eligibility to any such medical assistance benefit or payment or the initial or
3 continued ~~right~~ eligibility to any such benefit or payment of any other individual in whose
4 behalf he or she has applied for or is receiving such benefit or payment, ~~conceal~~ conceals or
5 ~~fail~~ fails to disclose such event with an intent to fraudulently ~~to~~ secure such benefit or payment
6 either in a greater amount or quantity than is due or when no such benefit or payment is
7 authorized.

8 4. (d) Having ~~made application~~ applied to receive any such medical assistance benefit
9 or payment for the use and benefit of another and having received it, knowingly and willfully
10 ~~convert such~~ converts the benefit or payment or any part thereof to a use ~~other than for the use~~
11 ~~and~~ that is not for the benefit of such other person.

12 **SECTION 147.** 49.49 (1) (c) of the statutes is amended to read:

13 49.49 (1) (c) *Damages.* If any person is convicted under ~~this subsection~~ s. 946.91 (2),
14 the state shall have a cause of action for relief against such person in an amount 3 times the
15 amount of actual damages sustained as a result of any excess payments made in connection
16 with the offense for which the conviction was obtained. Proof by the state of a conviction
17 under ~~this section~~ s. 946.91 (2) in a civil action shall be conclusive regarding the state's right
18 to damages and the only issue in controversy shall be the amount, if any, of the actual damages
19 sustained. Actual damages shall consist of the total amount of excess payments, any part of
20 which is paid by state funds. In any such civil action the state may elect to file a motion in
21 expedition of the action. Upon receipt of the motion, the presiding judge shall expedite the
22 action.

23 **SECTION 148.** 49.49 (2) (a) of the statutes is renumbered 946.91 (3) (a) and amended
24 to read:

1 946.91 (3) (a) ~~Solicitation or receipt of remuneration.~~ Any person who solicits or
2 receives ~~any remuneration, including any kickback, bribe, or rebate,~~ directly or indirectly,
3 overtly or covertly, in cash or in kind, money, goods, services, or any other thing of value in
4 return for referring an individual to a person for the furnishing or arranging for the furnishing
5 of any item or service for which payment may be made in whole or in part under a medical
6 assistance program, or in return for purchasing, leasing, ordering, or arranging for or
7 recommending purchasing, leasing, or ordering any good, facility, service, or item for which
8 payment may be made in whole or in part under a medical assistance program, is guilty of a
9 Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),
10 the person may be fined not more than \$25,000.

11 **SECTION 149.** 49.49 (2) (b) of the statutes is renumbered 946.91 (3) (b) and amended
12 to read:

13 946.91 (3) (b) ~~Offer or payment of remuneration.~~ Whoever offers or pays any
14 remuneration ~~including any kickback, bribe, or rebate,~~ directly or indirectly, overtly or
15 covertly, in cash or in kind, money, goods, services, or any other thing of value to any person
16 to induce such person to refer an individual to a person for the furnishing or arranging for the
17 furnishing of any item or service for which payment may be made in whole or in part under
18 a medical assistance program, or to purchase, lease, order, or arrange for or recommend
19 purchasing, leasing, or ordering any good, facility, service or item for which payment may be
20 made in whole or in part under a medical assistance program, is guilty of a Class H felony,
21 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may
22 be fined not more than \$25,000.

23 **SECTION 150.** 49.49 (3) of the statutes is renumbered 946.91 (4) and amended to read:

1 946.91 (4) ~~FRAUDULENT CERTIFICATION OF FACILITIES. No A person may who~~ knowingly
2 and willfully ~~make~~ makes or ~~cause~~ causes to be made, or ~~induce~~ induces or ~~seek~~ seeks to
3 induce the making of, any false statement or representation of a material fact with respect to
4 the conditions or operation of any institution or facility in order that such institution or facility
5 may qualify either upon initial certification or upon recertification as a hospital, skilled
6 nursing facility, intermediate care facility, or home health agency. ~~A person who violates this~~
7 ~~subsection~~ is guilty of a Class H felony, except that, notwithstanding the maximum fine
8 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000.

9 **SECTION 151.** 49.49 (3m) (a) (intro.) and 1. of the statutes are renumbered 946.91 (5)
10 (intro.) and (a) and amended to read:

11 946.91 (5) **PROHIBITED PROVIDER CHARGES.** (a) No provider may knowingly impose
12 upon a medical assistance recipient charges in addition to payments received for services
13 under ss. 49.45 to 49.471 or knowingly impose direct charges upon a recipient in lieu of
14 obtaining payment under ss. 49.45 to 49.471 ~~except under the following conditions:~~ is guilty
15 of a Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3)
16 (h), the person may be fined not more than \$25,000. This subsection does not apply to the
17 following circumstances:

18 1. (a) Benefits or services are not provided under s. 49.46 (2) or 49.471 (11) and the
19 medical assistance recipient is advised of this fact prior to receiving the service.

20 **SECTION 152.** 49.49 (3m) (a) 2. of the statutes is renumbered 49.4715.

NOTE: Moves a provision requiring a recipient who is eligible
retroactively for medical assistance benefits to be reimbursed for any
eligible payments made to a provider.

21 **SECTION 153.** 49.49 (3m) (a) 3. of the statutes is renumbered 946.91 (5) (c).

22 **SECTION 154.** 49.49 (3m) (b) of the statutes is repealed.

1 **SECTION 155.** 49.49 (4) of the statutes is renumbered 946.91 (6) and amended to read:

2 946.91 (6) ~~PROHIBITED FACILITY CHARGES.~~ (a) ~~No~~ A person who, in connection with the
3 medical assistance program when the cost of the services provided to the patient is paid for
4 in whole or in part by the state, ~~may knowingly and willfully charge, solicit, accept or receive~~
5 intentionally charges, solicits, accepts, or receives, in addition to any amount otherwise
6 required to be paid under a medical assistance program, any gift, money, donation or other
7 consideration, other than a charitable, religious or philanthropic contribution from an
8 organization or from a person unrelated to the patient, as a precondition of admitting a patient
9 to a hospital, skilled nursing facility or intermediate care facility, or as a requirement for the
10 patient's continued stay in such a facility.

11 ~~(b) A person who violates this subsection~~ is guilty of a Class H felony, except that,
12 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be fined not
13 more than \$25,000.

NOTE: SECTIONS 148, 150 to 153, 155 and 157 move criminal penalties
relating to medical assistance to s. 946.91. Also, see SECTION 315.

14 **SECTION 156.** 49.493 (1) (b) of the statutes is amended to read:

15 49.493 (1) (b) "Medical benefits or assistance" means medical benefits under s. 49.02
16 49.803 or 253.05 or medical assistance.

17 **SECTION 157.** 49.496 (4) (a) of the statutes is amended to read:

18 49.496 (4) (a) The department may require a county department under s. 46.215, 46.22,
19 or 46.23 or the governing body of a federally recognized American Indian tribe administering
20 medical assistance to gather and provide the department with information needed to recover
21 medical assistance under this section. Except as provided in par. (b), the department shall pay
22 to a county department or tribal governing body an amount equal to 5% of the recovery

1 collected by the department relating to a beneficiary for whom the county department or tribal
2 governing body made the last determination of medical assistance eligibility. A county
3 department or tribal governing body may use funds received under this paragraph only to pay
4 costs incurred under this paragraph and, if any amount remains, to pay for improvements to
5 functions required under s. ~~49.78~~ 49.003 (2). The department may withhold payments under
6 this paragraph for failure to comply with the department's requirements under this paragraph.
7 The department shall treat payments made under this paragraph as costs of administration of
8 the Medical Assistance program.

9 **SECTION 158.** 49.498 (1) (j) of the statutes is amended to read:

10 49.498 (1) (j) "~~Physician~~" Notwithstanding the definition in s. 49.43 (9), "physician"
11 has the meaning given under s. 448.01 (5).

NOTE: Specifies that the general definition of the term "physician"
provided in s. 49.43 (9) does not apply to the section related to
requirements for skilled nursing facilities.

12 **SECTION 159.** 49.685 (7) (a) 2. and 5. of the statutes are amended to read:

13 49.685 (7) (a) 2. In determining income, only the income of the patient and persons
14 responsible for the patient's support under s. ~~49.90~~ 49.039 may be considered.

15 5. In determining net worth, only the net worth of the patient and persons responsible
16 for the patient's support under s. ~~49.90~~ 49.039 will be considered.

17 **SECTION 160.** 49.686 (1) (f) of the statutes is repealed.

NOTE: Repeals a definition for the term "residence", which is defined at
the beginning of the chapter, in s. 49.001 (6).

18 **SECTION 161.** 49.688 (1) (b) of the statutes is repealed.

NOTE: Repeals a definition for the term "poverty line", which is defined
at the beginning of the chapter, in s. 49.001 (5).

19 **SECTION 162.** 49.688 (3) (d) of the statutes is amended to read:

1 49.688 (3) (d) Notwithstanding s. ~~49.002~~ 49.80, if a person who is eligible under this
2 section has other available coverage for payment of a prescription drug, this section applies
3 only to costs for prescription drugs for the person that are not covered under the person's other
4 available coverage.

5 **SECTION 163.** 49.688 (9) (a) of the statutes is amended to read:

6 49.688 (9) (a) The department shall promulgate rules relating to prohibitions on fraud
7 that are substantially similar to applicable provisions under s. ~~49.49 (1) (a)~~ 946.91 (2).

NOTE: Modifies the cross-reference for medical assistance offenses in
 the senior care program statute.

8 **SECTION 164.** 49.77 (1) of the statutes is amended to read:

9 49.77 (1) ~~DEFINITION~~ DEFINITIONS. In this section:

10 (a) "Essential person" has the meaning given in s. 49.46 (1).

11 (b) "secretary Secretary" means the secretary of the U.S. department of health and
12 human services or the secretary of any other federal agency subsequently charged with the
13 administration of federal Title XVI.

14 **SECTION 165.** 49.78 of the statutes is renumbered 49.003.

15 **SECTION 166.** 49.78 (1) (cr) of the statutes is repealed.

NOTE: Repeals a definition for the term "tribal governing body", which
 is created in SECTION 41 of the draft.

16 **SECTION 167.** 49.78 (8) (a) of the statutes is amended to read:

17 49.78 (8) (a) From the appropriation accounts under s. 20.435 (4) (bn) and (nn) and
18 subject to par. (b), the department shall reimburse each county and tribal governing body that
19 contracts with the department under sub. (2) for reasonable costs of administering the income
20 maintenance programs, including conducting fraud prevention activities. The amount of each
21 reimbursement paid under this paragraph shall be calculated using a formula based on

1 workload within the limits of available state and federal funds under s. 20.435 (4) (bn) and (nn)
2 by contract under sub. (2). The amount of reimbursement calculated under this paragraph and
3 par. (b) is in addition to any reimbursement provided to a county or tribal governing body for
4 fraud and error reduction under s. 49.197 or ~~49.845~~ 49.019.

5 **SECTION 168.** 49.785 (1) (intro.) of the statutes is amended to read:

6 49.785 (1) (intro.) Except as provided in sub. (1m) and subject to s. ~~49.825~~ 49.009, if
7 any recipient specified in sub. (1c) dies and the estate of the deceased recipient is insufficient
8 to pay the funeral, burial, and cemetery expenses of the deceased recipient, the department or
9 county or applicable tribal governing body or organization responsible for burial of the
10 recipient shall pay, to the person designated by the department or county department under s.
11 46.215, 46.22, or 46.23 or applicable tribal governing body or organization responsible for the
12 burial of the recipient, all of the following:

13 **SECTION 169.** 49.79 (title) and (1) (c) of the statutes are amended to read:

14 **49.79 ~~Food stamp~~ Supplemental nutrition assistance program administration. (1)**

15 ~~DEFINITIONS. In this section:~~

16 (c) "~~Food stamp program~~ Supplemental nutrition assistance program" means the
17 federal ~~food stamp~~ supplemental nutrition assistance program under 7 USC 2011 to 2036.

18 **SECTION 170.** 49.79 (1) (intro.) of the statutes is amended to read:

19 49.79 (1) ~~DEFINITIONS. In this section ss. 49.79, 49.793, 49.795, and 49.797:~~

20 **SECTION 171.** 49.79 (2), (3), (4), (5) (a), (6), (7), (8), (8m), and (9) of the statutes are
21 amended to read:

22 (2) **DENIAL OF ELIGIBILITY.** An individual who fails to comply with the work
23 requirements of the employment and training program under sub. (9) is ineligible to

1 participate in the ~~food stamp~~ supplemental nutrition assistance program as specified under
2 sub. (9) (b).

3 (3) ~~LIABILITY FOR LOST FOOD COUPONS~~ MISAPPROPRIATED BENEFITS. (a) A county or
4 ~~federally recognized American Indian tribe~~ tribal governing body is liable for all ~~food stamp~~
5 ~~coupons lost,~~ supplemental nutrition assistance program benefits misappropriated, ~~or~~
6 ~~destroyed~~ while under the county's or tribe's direct control, ~~except as provided in par. (b)~~.

7 (b) ~~A county or federally recognized American Indian tribe~~ is not liable for ~~food stamp~~
8 ~~coupons lost in natural disasters~~ if it provides evidence acceptable to the department that the
9 ~~coupons were destroyed and not redeemed~~.

10 (c) A county or ~~federally recognized American Indian tribe~~ tribal governing body is
11 liable for ~~food stamp coupons mailed~~ supplemental nutrition assistance program benefits
12 incorrectly transferred to residents of the county or members of the tribe ~~and lost in the mail~~
13 due to incorrect information submitted to the department by the county or tribe.

NOTE: Strikes language no longer applicable under the system of
electronic benefit transfers.

14 (4) ~~DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS~~. The department shall
15 withhold the value of ~~food stamp~~ supplemental nutrition assistance program benefits losses
16 for which a county or ~~federally recognized American Indian tribe~~ tribal governing body is
17 liable under sub. (3) from the payment to the county or tribe under income maintenance
18 contracts under s. ~~49.78~~ 49.003 and reimburse the federal government from the funds
19 withheld.

20 (5) ~~DRUG CONVICTIONS~~. (a) The department shall require an applicant for, or recipient
21 under, the ~~food stamp~~ supplemental nutrition assistance program to state in writing whether
22 the applicant or recipient or any member of the applicant's or recipient's household has been

1 convicted, in any state or federal court of a felony that has as an element possession, use, or
2 distribution of a controlled substance. The department shall require an applicant or recipient,
3 or member of the applicant's or recipient's household to submit to a test for use of a controlled
4 substance as a condition of continued eligibility if, after August 22, 1996, but not more than
5 5 years prior to the date the written statement is made, the applicant or recipient or the member
6 of the applicant's or recipient's household was convicted in any state or federal court of a
7 felony that had as an element possession, use, or distribution of a controlled substance. If the
8 test results are positive with respect to any individual, the department may not consider the
9 needs of that individual in determining the household's eligibility for the ~~food stamp~~
10 supplemental nutrition assistance program for at least 12 months from the date of the test. The
11 department shall, however, consider the income and resources of that individual to be
12 available to the household.

13 (6) INELIGIBILITY FOR FUGITIVE FELONS. No person is eligible for the ~~food stamp~~
14 supplemental nutrition assistance program in a month in which that person is a fugitive felon
15 under 7 USC 2015 (k) (1) or is violating a condition of probation, extended supervision, or
16 parole imposed by a state or federal court.

17 (7) SIMPLIFIED ~~FOOD-STAMP~~ SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. The
18 department shall develop a simplified ~~food stamp~~ supplemental nutrition assistance program
19 that meets all of the requirements under ~~P.L. 104-193, section 854~~ 42 USC 2035, and shall
20 submit the plan to the secretary of the federal department of agriculture for approval. If the
21 secretary of the federal department of agriculture approves the plan, the department shall
22 submit the plan to the secretary of administration for approval. If the secretary of
23 administration approves the plan, the department may implement the plan.

1 **(8) BENEFITS FOR QUALIFIED ALIENS.** The department shall provide benefits under this
2 section to a qualified alien who is ineligible for benefits under this section solely because of
3 the application of 9 § USC 1612 or 1613 according to a plan approved by the federal
4 department of agriculture. This subsection does not apply to the extent that federal ~~food stamp~~
5 supplemental nutrition assistance program benefits for qualified aliens are restored by the
6 federal government.

NOTE: Amends the reference to federal statute to reflect the correct U.S.
Code citation.

7 **(8m) APPLICANTS FROM CORRECTIONAL INSTITUTIONS.** (a) The department shall allow
8 a prisoner who is applying for the ~~food stamp~~ supplemental nutrition assistance program from
9 a correctional institution in anticipation of being released from the institution to use the
10 address of the correctional institution as his or her address on the application.

11 (b) The department shall allow an employee of a correctional institution who has been
12 authorized by a prisoner of the institution to act on his or her behalf in matters related to the
13 ~~food stamp~~ supplemental nutrition assistance program to receive and conduct telephone calls
14 on behalf of the prisoner in matters related to the ~~food stamp~~ supplemental nutrition assistance
15 program.

16 **(9) EMPLOYMENT AND TRAINING PROGRAM.** (a) 1. The department shall administer an
17 employment and training program for recipients under the ~~food stamp~~ supplemental nutrition
18 assistance program and may contract under s. ~~49.78~~ 49.003 with county departments under
19 ss. 46.215, 46.22, and 46.23, and with tribal governing bodies to carry out the administrative
20 functions. The department may contract, or a county department or tribal governing body may
21 subcontract, with a Wisconsin Works agency or another provider to administer the
22 employment and training program under this subsection. Except as provided in subds. 2. and

1 3., the department may require able individuals who are 18 to 60 years of age who are not
2 participants in a Wisconsin Works employment position to participate in the employment and
3 training program under this subsection.

4 2. The department may not require an individual who is a recipient under the ~~food stamp~~
5 supplemental nutrition assistance program and who is the caretaker of a child under the age
6 of 12 weeks to participate in any employment and training program under this subsection.

7 3. The department may not require an individual who is a recipient under the ~~food stamp~~
8 supplemental nutrition assistance program to participate in any employment and training
9 program under this subsection if that individual is enrolled at least half time in a school, as
10 defined in s. 49.26 (1) (a) 2., a training program, or an institution of higher education.

11 4. The amount of ~~food stamp~~ supplemental nutrition assistance program benefits paid
12 to a recipient who is a participant in a Wisconsin works employment position under s. 49.147
13 (4) or (5) shall be calculated based on the pre-sanction benefit amount received s. 49.148.

14 **SECTION 172.** 49.79 (9) (a) 3. of the statutes is amended to read:

15 49.79 (9) (a) 3. The department may not require an individual who is a recipient under
16 the food stamp program to participate in any employment and training program under this
17 subsection if that individual is enrolled at least half time in a school, as defined in s. 49.26
18 49.198 (1) (a) 2., a training program, or an institution of higher education.

19 **SECTION 173.** 49.793 (1) of the statutes is amended to read:

20 **49.793 Recovery of food-stamps overpayments.** (1) The department or a county or
21 an elected governing body of a federally recognized American Indian tribe or band acting on
22 behalf of the department, may recover overpayments that arise from an overissuance of ~~food~~
23 ~~coupons~~ supplemental nutrition assistance program benefits under the ~~food-stamp~~

1 supplemental nutrition assistance program administered under s. 46.215 (1) (k) or 46.22 (1)
2 (b) 2. d. Recovery shall be made in accordance with 7 USC 2022.

3 SECTION 174. 49.795 (1) (title) of the statutes is amended to read:

4 **49.795 (1) (title) ~~Food stamp~~ Supplemental nutrition assistance program offenses.**

5 ~~(1) In this section:~~

6 SECTION 175. 49.795 (1) (a), (b), (d) and (e) of the statutes are renumbered 49.79 (1)
7 (d), (e), (fg) and (fm) and amended to read:

8 (d) "Eligible person" means a member of a household certified as eligible for the ~~food~~
9 ~~stamp~~ supplemental nutrition assistance program or a person authorized to represent a
10 certified household under 7 USC 2020 (e) (7).

11 (e) "Food" means items which may be purchased using ~~food coupons~~ supplemental
12 nutrition assistance program benefits under 7 USC 2012 ~~(g)~~ and 2016 (b).

NOTE: Strikes a citation to a federal statute that does not relate to the
subject matter.

13 (fg) "Supplier" means a retail grocery store or other person authorized by the federal
14 department of agriculture to accept ~~food coupons~~ supplemental nutrition assistance program
15 benefits in exchange for food under the ~~food stamp~~ supplemental nutrition assistance program.

16 (fm) "Unauthorized person" means a person who is not one of the following:

17 1. An employee or officer of the federal government, the state, a county, or a federally
18 recognized American Indian tribe acting in the course of official duties in connection with the
19 ~~food stamp~~ supplemental nutrition assistance program.

20 2. A person acting in the course of duties under a contract with the federal government,
21 the state, a county or a federally recognized American Indian tribe in connection with the ~~food~~
22 ~~stamp~~ supplemental nutrition assistance program .

1 5. A person authorized to redeem ~~food coupons~~ supplemental nutrition assistance
2 program benefits under 7 USC 2019.

NOTE: Renumbers definitions for the terms “eligible person”, “food”,
 “supplier”, and “unauthorized person” and places them in a provision
 providing definitions applicable in all 4 sections relating to the
 supplemental nutrition assistance program.

3 **SECTION 176.** 49.795 (1) (c) of the statutes is repealed.

NOTE: Repeals a definition for “food stamp program”.

4 **SECTION 177.** 49.795 (2), (2m), (3), (4), (5), and (6) of the statutes are renumbered
5 946.92 (2) (a), (b), (c), (d), (e), and (f) and amended to read:

6 (2) (a) No person may misstate or conceal facts in a ~~food stamp~~ supplemental nutrition
7 assistance program application or report of income, assets, or household circumstances with
8 intent to secure or continue to receive ~~food stamp~~ supplemental nutrition assistance program
9 benefits.

10 (b) No person may knowingly issue ~~food coupons~~ supplemental nutrition assistance
11 program benefits to a person who is not an eligible person or knowingly issue ~~food coupons~~
12 such benefits to an eligible person in excess of the amount for which the person’s household
13 is eligible.

14 (c) No eligible person may knowingly transfer ~~food coupons~~ supplemental nutrition
15 assistance program benefits except to purchase food from a supplier or knowingly obtain or
16 use ~~food coupons~~ such benefits for which the person’s household is not eligible.

17 (d) No supplier may knowingly obtain ~~food coupons~~ supplemental nutrition assistance
18 program benefits except as payment for food or knowingly obtain ~~food coupons~~ such benefits
19 from a person who is not an eligible person.

1 (e) No unauthorized person may knowingly obtain, possess, transfer, or use food
2 coupons supplemental nutrition assistance program benefits .

3 (f) Notwithstanding par. (d), in addition to the penalties applicable under par. (a), (b),
4 or (c), the court shall suspend from the ~~food stamp~~ supplemental nutrition assistance program
5 for a period of 10 years a person who fraudulently misstates or misrepresents his or her identity
6 or place of residence for the purpose of receiving multiple benefits simultaneously under the
7 ~~food stamp~~ supplemental nutrition assistance program.

8 **SECTION 178.** 49.795 (7) of the statutes is repealed.

9 **SECTION 179.** 49.795 (8) (a) (intro.) of the statutes is repealed.

10 **SECTION 180.** 49.795 (8) (a) 1. of the statutes is renumbered 946.92 (3) (a) 1. and
11 amended to read:

12 946.92 (3) (a) 1. If the value of the ~~food coupons~~ supplemental nutrition assistance
13 program benefits does not exceed \$100, a the person who violates this section may be fined
14 not more than \$1,000 or imprisoned not more than one year in the county jail, or both.

15 **SECTION 181.** 49.795 (8) (a) 2. of the statutes is renumbered 946.92 (3) (a) 2. and
16 amended to read:

17 946.92 (3) (a) 2. If the value of the ~~food coupons~~ supplemental nutrition assistance
18 benefits exceeds \$100, but is less than \$5,000, a the person who violates this section is guilty
19 of a Class I felony.

20 **SECTION 182.** 49.795 (8) (b) (intro.) 1. and 2. of the statutes are renumbered 946.92 (3)
21 (b) (intro.), 1. and 2. and amended to read:

22 946.92 (3) (b) (intro.) For a 2nd or subsequent offense under this section sub. (2), the
23 penalties are as follows:

1 1. If the value of the ~~food coupons~~ supplemental nutrition assistance benefits does not
2 exceed \$100, ~~a the person who violates this section~~ may be fined not more than \$1,000 or
3 imprisoned not more than one year in the county jail or both.

4 2. If the value of the ~~food coupons~~ supplemental nutrition assistance benefits exceeds
5 \$100, but is less than \$5,000, ~~a the person who violates this section~~ is guilty of a Class H felony.

6 **SECTION 183.** 49.795 (8) (c) of the statutes is renumbered 946.92 (3) (c) and amended
7 to read:

8 946.92 (3) (c) For any offense under this section, if the value of the ~~food coupons~~
9 supplemental nutrition assistance benefits is \$5,000 or more, ~~a the person who violates this~~
10 ~~section~~ is guilty of a Class G felony.

11 **SECTION 184.** 49.795 (8) (d) 1. of the statutes is renumbered 946.92 (3) (d) 1. and
12 amended to read:

13 946.92 (3) (d) 1. (intro.) In addition to the penalties applicable under par. (a), ~~(b)~~ or ~~(c)~~
14 ~~(b)~~, the court shall suspend a person who violates this section from participation in the ~~food~~
15 ~~stamp~~ supplemental nutrition assistance program as follows:

16 a. For a first offense under this section, not less than one year. ~~The court may extend~~
17 ~~the suspension by and not more than 18 months~~ 2 1/2 years.

18 b. For a 2nd offense under this section, not less than 2 years. ~~The court may extend the~~
19 ~~suspension by and not more than 18 months~~ 3 1/2 years.

20 **SECTION 185.** 49.795 (8) (d) 1m. of the statutes is renumbered 946.92 (3) (c) 1m. and
21 amended to read:

22 1m. In addition to the penalties applicable under par. (a), ~~(b)~~ or ~~(c)~~ ~~(b)~~, a court shall
23 permanently suspend from the ~~food stamp~~ supplemental nutrition assistance program a person

1 who has been convicted of an offense under 7 USC 2024 (b) or (c) involving an item covered
2 by 7 USC 2024 (b) or (c) having a value of \$500 or more.

3 **SECTION 186.** 49.795 (8) (d) 2. of the statutes is renumbered 49.795 (9) and amended
4 to read:

5 (9) ~~The A~~ person may apply to the county department under s. 46.215, 46.22 or 46.23
6 or ~~the federally recognized American Indian~~ tribal governing body or, if the person is a
7 supplier, to the federal department of agriculture for reinstatement of benefits following ~~the~~
8 a period of suspension imposed under s. 946.92, if the suspension is not permanent.

9 **SECTION 187.** 49.795 (8) (e) and (f) of the statutes are renumbered 946.92 (3) (d) and
10 (e) and amended to read:

11 946.92 (3) (d) 1. If a court finds that a person ~~traded~~ violated sub. (2) by trading a
12 controlled substance, as defined in s. 961.01 (4), for ~~food coupons~~ supplemental nutrition
13 assistance program benefits, the court shall suspend the person from participation in the ~~food~~
14 ~~stamp~~ supplemental nutrition assistance program as follows:

15 a. Upon the first such finding, for 2 years.

16 b. Upon the 2nd such finding, permanently.

17 2. If a court finds that a person ~~traded~~ violated sub. (2) by trading firearms, ammunition
18 or explosives for ~~food coupons~~ supplemental nutrition assistance program benefits, the court
19 shall suspend the person permanently from participation in the ~~food stamp~~ supplemental
20 nutrition assistance program.

21 (e) Notwithstanding par. ~~(d)~~ (c), in addition to the penalties applicable under par. (a),
22 ~~(b)~~ or ~~(e)~~ (b), the court shall suspend from the ~~food stamp~~ supplemental nutrition assistance
23 program for a period of 10 years a person who violates sub. (2) by fraudulently misstates
24 misstating or misrepresents misrepresenting his or her identity or place of residence for the

1 purpose of receiving multiple benefits simultaneously under the ~~food-stamp~~ supplemental
2 nutrition assistance program.

NOTE: SECTIONS 178, 180 to 186, and 187 move criminal penalties relating to food share to s. 946.92. Also, see SECTION 321.

3 SECTION 188. 49.797 (1) and (2) of the statutes are amended to read:

4 **49.797 Electronic benefit transfer. (1) DEFINITION.** In this section, “~~food-stamp~~
5 supplemental nutrition assistance program” means the federal ~~food-stamp~~ supplemental
6 nutrition assistance program under 7 USC 2011 to ~~2029~~ 2036 or, if the department determines
7 that the ~~food-stamp~~ supplemental nutrition assistance program no longer exists, a nutrition
8 program that the department determines is a successor to the ~~food-stamp~~ supplemental
9 nutrition assistance program.

NOTE: Amends the reference to federal statute to reflect changes in federal law.

10 (2) DELIVERY OF ~~FOOD-STAMPS~~ SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS.

11 (a) ~~Notwithstanding s. 46.028 and except as provided in par. (b) and sub. (8),~~ The
12 department shall administer a statewide program to deliver ~~food-stamp~~ supplemental nutrition
13 ~~assistance~~ program benefits to recipients of ~~food-stamp~~ benefits by an electronic benefit
14 transfer system. All suppliers, as defined in s. 49.795 (1) (d), may participate in the delivery
15 of ~~food-stamp~~ supplemental nutrition assistance program benefits under the electronic benefit
16 transfer system. The department shall explore methods by which nontraditional retailers, such
17 as farmers’ markets, may participate in the delivery of ~~food-stamp~~ supplemental nutrition
18 ~~assistance~~ program benefits under the electronic benefit transfer system.

19 SECTION 189. 49.797 (2) (b) of the statutes is repealed.

NOTE: Repeals language providing for an exception to the implementation requirement because implementation of an electronic benefit transfer system is not optional under current law.

1 **SECTION 190.** 49.797 (8) of the statutes is repealed.

NOTE: Repeals subsection to reflect change in federal law requiring distribution of benefits by electronic benefit transfer.

2 **SECTION 191.** 49.81 of the statutes is renumbered 49.005.

3 **SECTION 192.** 49.82 of the statutes is renumbered 49.007.

4 **SECTION 193.** 49.82 (3) (d) of the statutes is created to read:

5 49.82 (3) (d) The department of health services, in consultation with the department of
6 children and families, shall provide training to county and Wisconsin works agency
7 employees relating to fraud prevention and investigation, error reduction, and related
8 activities. The department shall promulgate rules specifying the frequency and content of the
9 training.

NOTE: Requires DHS in consultation with DCF to provide training to agency employees relating to fraud prevention and investigation and error reduction.

10 **SECTION 194.** 49.825 of the statutes is renumbered 49.009 and, as renumbered, 49.009

11 (1) (c), is amended to read:

12 (1) (c) "Income maintenance program" has the meaning given in s. ~~49.78 (1) (b)~~ 49.003.

13 **SECTION 195.** 49.825 (2) (a) 3. and (b) of the statutes are amended to read:

14 49.825 (2) (a) 3. To the extent contracted under par. (b), the child care subsidy program
15 under s. ~~49.155~~ 49.199.

16 (b) The department of children and families may enter into a contract with the
17 department of health services that provides for the performance of eligibility and authorization
18 functions under the program under s. ~~49.155~~ 49.199 in the county by the unit.

19 **SECTION 196.** 49.826 of the statutes is renumbered 49.011.

20 **SECTION 197.** 49.826 (2) (a) (intro.) and 4. of the statutes are amended to read:

1 49.826 (2) (a) (intro.) The department may establish a child care provider services unit
2 under s. 15.02 (3) (c) 3. to perform any of the following administrative functions under the
3 program under s. ~~49.155~~ 49.199 in a county:

4 4. Assist individuals who are eligible for child care subsidies under s. ~~49.155~~ 49.199
5 to identify available child care providers and select appropriate child care arrangements.

6 **SECTION 198.** 49.83 of the statutes is renumbered 49.013 and amended to read:

7 **49.013 Limitation on giving information.** Except as provided under ss. ~~49.25~~ 49.823
8 and 49.32 (9), (10), and (10m), no person may use or disclose information concerning
9 applicants and recipients of relief funded by a relief block grant, aid to families with dependent
10 children, Wisconsin Works under ss. 49.141 to 49.161, social services, child and spousal
11 support and establishment of paternity and medical support liability services under s. ~~49.22~~
12 49.811, or supplemental payments under s. 49.77 for any purpose not connected with the
13 administration of the programs, except that the department of children and families may
14 disclose such information to the department of revenue for the sole purpose of administering
15 state taxes. Any person violating this section may be fined not less than \$25 nor more than
16 \$500 or imprisoned in the county jail not less than 10 days nor more than one year or both.

17 **SECTION 199.** 49.84 (1) of the statutes is renumbered 49.017 (1) and amended to read:

18 49.017 (1) Any person who applies for any ~~public assistance~~ benefit under this chapter
19 shall execute the application or self-declaration in the presence of the welfare worker or other
20 person processing the application. This subsection does not apply to any superintendent of
21 a mental health institute, director of a center for the developmentally disabled, superintendent
22 of a state treatment facility or superintendent of a state correctional facility who applies for
23 ~~public assistance~~ any benefit under this chapter on behalf of a patient.

NOTE: Replaces "public assistance" with "benefit under this chapter" because "public assistance" is not defined.

1 **SECTION 200.** 49.84 (3) of the statutes is amended to read:

2 49.84 (3) Notwithstanding subs. (1) s. 49.017 (1) and sub. (2), personal identification
3 documentation requirements may be waived for 10 days for an applicant for relief funded by
4 a relief block grant, if the applicant agrees to cooperate with the relief agency by providing
5 information necessary to obtain proper identification.

6 **SECTION 201.** 49.845 of the statutes is renumbered 49.019.

7 **SECTION 202.** 49.847 of the statutes is renumbered 49.021.

8 **SECTION 203.** 49.85 of the statutes is renumbered 49.023, and 49.023 (1) and (2) (a)
9 (intro.) and (3) (a) 1., as renumbered, are amended to read:

10 (1) DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under s. 46.215,
11 46.22, or 46.23 or a governing body of a federally recognized American Indian tribe or band
12 determines that the department of health services may recover an amount under s. 49.497,
13 49.793, or ~~49.847~~ 49.021, or that the department of children and families may recover an
14 amount under s. 49.161 or 49.195 (3) or collect an amount under s. 49.147 (6) (cm), the county
15 department or governing body shall notify the affected department of the determination. If
16 a Wisconsin Works agency determines that the department of children and families may
17 recover an amount under s. 49.161 or 49.195 (3), or collect an amount under s. 49.147 (6) (cm),
18 the Wisconsin Works agency shall notify the department of children and families of the
19 determination.

20 (a) At least annually, the department of health services shall certify to the department
21 of revenue the amounts that, based on the notifications received under sub. (1) and on other
22 information received by the department of health services, the department of health services

1 has determined that it may recover under s. 49.45 (2) (a) 10., 49.497, 49.793, or ~~49.847,~~
2 49.021, except that the department of health services may not certify an amount under this
3 subsection unless all of the following apply:

4 (3) (a) 1. Inform the person that the department of health services intends to certify to
5 the department of revenue an amount that the department of health services has determined
6 to be due under s. 49.45 (2) (a) 10., 49.497, 49.793, or ~~49.847,~~ 49.021, for setoff from any state
7 tax refund that may be due the person.

8 **SECTION 204.** 49.853 (4) (d) of the statutes is amended to read:

9 49.853 (4) (d) A financial institution participating in the state matching option under
10 this subsection, and the employees, agents, officers and directors of the financial institution,
11 may use any information that is provided by the department in requesting additional
12 information under par. (b) only for the purpose of administering s. ~~49.22~~ 49.811 or for the
13 purpose of providing the additional information. Any person who violates this paragraph may
14 be fined not less than \$25 nor more than \$500 or imprisoned in the county jail for not less than
15 10 days nor more than one year or both.

16 **SECTION 205.** 49.855 (6) of the statutes is amended to read:

17 49.855 (6) If the state implements the child and spousal support and establishment of
18 paternity and medical support liability program under ss. ~~49.22~~ 49.811 and 59.53 (5), the state
19 may act under this section in place of the county child support agency under s. 59.53 (5).

20 **SECTION 206.** 49.857 (4) of the statutes is amended to read:

21 49.857 (4) Each licensing agency shall enter into a memorandum of understanding with
22 the department of children and families under sub. (2) (b) and shall cooperate with the
23 department of children and families in its administration of s. ~~49.22~~ 49.811. The department
24 of regulation and licensing shall enter into a memorandum of understanding with the

1 department of children and families on behalf of a credentialing board with respect to a
2 credential granted by the credentialing board.

3 **SECTION 207.** 49.86 of the statutes is renumbered 49.035.

4 **SECTION 208.** 49.90 of the statutes is renumbered 49.039.

5 **SECTION 209.** 49.95 (12) of the statutes is created to read:

6 49.95 (12) "Municipality" as used in this section means any town, city, or village.

7 **SECTION 210.** 49.96 of the statutes is renumbered 49.043.

8 **SECTION 211.** 49.96 of the statutes is amended to read:

9 **49.96 Assistance grants exempt from levy.** All grants of aid to families with
10 dependent children, payments made under ss. 48.57 (3m) or (3n), 49.148 (1) (b) 1. or (c) or
11 (1m) or ~~49.149~~ 49.157 to 49.159, payments made for social services, cash benefits paid by
12 counties under s. 59.53 (21), and benefits under s. 49.77 ~~or, 49.775,~~ or federal Title XVI, are
13 exempt from every tax, and from execution, garnishment, attachment and every other process
14 and shall be inalienable.

NOTE: Amends the list of payments that are exempt from levy to reflect
that payments under s. 49.149 are moved to s. 49.143 (2z) in the draft.
Also, exempts payments made to custodial parents of supplemental
security income payments from taxation, execution, garnishment,
attachment, and other processes.

15 **SECTION 212.** 50.01 (1g) (b) of the statutes is amended to read:

16 50.01 (1g) (b) A facility or private home that provides care, treatment, and services only
17 for victims of domestic abuse, as defined in s. ~~49.165~~ 49.217 (1) (a), and their children.

18 **SECTION 213.** 51.42 (3) (e) of the statutes is amended to read:

19 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a),
20 49.45 (4), ~~49.83~~ 49.013, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c),
21 and 938.78 (2) (a), any subunit of a county department of community programs or tribal

1 agency acting under this section may exchange confidential information about a client,
2 without the informed consent of the client, with any other subunit of the same county
3 department of community programs or tribal agency, with a resource center, a care
4 management organization, or a long-term care district, or with any person providing services
5 to the client under a purchase of services contract with the county department of community
6 programs or tribal agency or with a resource center, care management organization, or
7 long-term care district, if necessary to enable an employee or service provider to perform his
8 or her duties, or to enable the county department of community programs or tribal agency to
9 coordinate the delivery of services to the client. Any agency releasing information under this
10 paragraph shall document that a request was received and what information was provided.

11 **SECTION 214.** 51.437 (4r) (b) of the statutes is amended to read:

12 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), ~~49.83~~ 49.013,
13 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), any
14 subunit of a county department of developmental disabilities services or tribal agency acting
15 under this section may exchange confidential information about a client, without the informed
16 consent of the client, with any other subunit of the same county department of developmental
17 disabilities services or tribal agency, with a resource center, a care management organization,
18 or a long-term care district, or with any person providing services to the client under a
19 purchase of services contract with the county department of developmental disabilities
20 services or tribal agency or with a resource center, a care management organization, or a
21 long-term care district, if necessary to enable an employee or service provider to perform his
22 or her duties, or to enable the county department of developmental disabilities services or
23 tribal agency to coordinate the delivery of services to the client. Any agency releasing

1 information under this paragraph shall document that a request was received and what
2 information was provided.

3 **SECTION 215.** 59.22 (2) (c) 2. of the statutes is amended to read:

4 59.22 (2) (c) 2. No action of the board may be contrary to or in derogation of the rules
5 of the department of children and families under s. ~~49.78~~ 49.003 (4) to (7) relating to
6 employees administering old-age assistance, aid to families with dependent children, aid to
7 the blind, or aid to totally and permanently disabled persons or ss. 63.01 to 63.17.

8 **SECTION 216.** 59.40 (2) (p) of the statutes is amended to read:

9 59.40 (2) (p) Cooperate with the department of children and families with respect to the
10 child and spousal support and establishment of paternity and medical support liability
11 program under ss. ~~49.22~~ 49.811 and 59.53 (5), and provide that department with any
12 information from court records which it requires to administer that program.

13 **SECTION 217.** 59.53 (5) (a) and (6) (b) of the statutes are amended to read:

14 59.53 (5) (a) The board shall contract with the department of children and families to
15 implement and administer the child and spousal support and establishment of paternity and
16 the medical support liability programs provided for by Title IV of the federal social security
17 act. The board may designate by board resolution any office, officer, board, department or
18 agency, except the clerk of circuit court, as the county child support agency. The board or
19 county child support agency shall implement and administer the programs in accordance with
20 the contract with the department of children and families. The attorneys responsible for
21 support enforcement under sub. (6) (a), circuit court commissioners and all other county
22 officials shall cooperate with the county and the department of children and families as
23 necessary to provide the services required under the programs. The county shall charge the
24 fee established by the department of children and families under s. ~~49.22~~ 49.811 for services

1 provided under this paragraph to persons not receiving benefits under s. 49.148 or ~~49.155~~
2 49.199 or assistance under s. 48.645, 49.19, 49.46, 49.465, 49.47, 49.471, or 49.472.

3 (6) (b) Attorneys responsible for support enforcement under par. (a) shall institute,
4 commence, appear in or perform other prescribed duties in actions or proceedings under sub.
5 (5) and ss. ~~49.22~~ 49.811 (7), 767.205 (2), 767.501 and 767.80 and ch. 769.

6 **SECTION 218.** 63.03 (2) (r) of the statutes is amended to read:

7 63.03 (2) (r) All staff performing services for the Milwaukee County enrollment
8 services unit under s. ~~49.825~~ 49.009 or for the child care provider services unit under s. ~~49.826~~
9 49.011.

10 **SECTION 219.** 69.03 (14) of the statutes is amended to read:

11 69.03 (14) Provide hospitals with a pamphlet containing information for parents about
12 birth certificates including how to add the name of the father of a child whose parents were
13 not married at any time from the conception to the birth of the child to the birth certificate under
14 s. 69.15 (3) (b) or, if the father will not sign an affidavit, through a paternity action; the legal
15 significance and future medical advantages to the child of having the father's name inserted
16 on the birth certificate; and the availability of services under s. ~~49.22~~ 49.811.

17 **SECTION 220.** 69.15 (3) (b) 3. of the statutes is amended to read:

18 69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives a
19 statement acknowledging paternity on a form prescribed by the state registrar and signed by
20 both parents, and by a parent or legal guardian of any parent who is under the age of 18 years,
21 along with the fee under s. 69.22, the state registrar shall insert the name of the father under
22 subd. 1. The state registrar shall mark the certificate to show that the form is on file. The form
23 shall be available to the department of children and families or a county child support agency
24 under s. 59.53 (5) pursuant to the program responsibilities under s. ~~49.22~~ 49.811 or to any other

1 person with a direct and tangible interest in the record. The state registrar shall include on the
2 form for the acknowledgment the information in s. 767.805 and the items in s. 767.813 (5g).

3 **SECTION 221.** 69.20 (3) (f) of the statutes is amended to read:

4 69.20 (3) (f) The state or a local registrar may disclose a social security number on a
5 vital record to the department of children and families or a county child support agency under
6 s. 59.53 (5) in response to a request under s. ~~49.22~~ 49.811 (2m).

7 **SECTION 222.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

8 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides in an area
9 designated by the federal government as an economic revitalization area, a person who is
10 employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and
11 (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as
12 defined in s. 49.141 (1) (n), or in a real work, real pay project position under s. 49.147 (3m),
13 a person who is eligible for child care assistance under s. ~~49.155~~ 49.199, a person who is a
14 vocational rehabilitation referral, an economically disadvantaged youth, an economically
15 disadvantaged veteran, a supplemental security income recipient, a general assistance
16 recipient, an economically disadvantaged ex-convict, a qualified summer youth employee,
17 as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food
18 stamp recipient, if the person has been certified in the manner under sub. (2dj) (am) 3. by a
19 designated local agency, as defined in sub. (2dj) (am) 2.

20 **SECTION 223.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

21 71.28 (1dx) (a) 5. "Member of a targeted group" means a person who resides in an area
22 designated by the federal government as an economic revitalization area, a person who is
23 employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and
24 (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as

1 defined in s. 49.141 (1) (n), or in a real work, real pay project position under s. 49.147 (3m),
2 a person who is eligible for child care assistance under s. ~~49.155~~ 49.199, a person who is a
3 vocational rehabilitation referral, an economically disadvantaged youth, an economically
4 disadvantaged veteran, a supplemental security income recipient, a general assistance
5 recipient, an economically disadvantaged ex-convict, a qualified summer youth employee,
6 as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food
7 stamp recipient, if the person has been certified in the manner under sub. (1dj) (am) 3. by a
8 designated local agency, as defined in sub. (1dj) (am) 2.

9 **SECTION 224.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

10 71.47 (1dx) (a) 5. "Member of a targeted group" means a person who resides in an area
11 designated by the federal government as an economic revitalization area, a person who is
12 employed in an unsubsidized job but meets the eligibility requirements under s. ~~49.145~~ 49.199
13 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial
14 job, as defined in s. 49.141 (1) (n), or in a real work, real pay project position under s. 49.147
15 (3m), a person who is eligible for child care assistance under s. 49.155, a person who is a
16 vocational rehabilitation referral, an economically disadvantaged youth, an economically
17 disadvantaged veteran, a supplemental security income recipient, a general assistance
18 recipient, an economically disadvantaged ex-convict, a qualified summer youth employee,
19 as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food
20 stamp recipient, if the person has been certified in the manner under sub. (1dj) (am) 3. by a
21 designated local agency, as defined in sub. (1dj) (am) 2.

22 **SECTION 225.** 71.78 (4) (g) of the statutes is amended to read:

23 71.78 (4) (g) Employees of this state, to the extent that the department of revenue deems
24 the examination necessary for the employees to perform their duties under contracts or

1 agreements between the department and any other department, division, bureau, board or
2 commission of this state relating to the administration of tax laws or child and spousal support
3 enforcement under s. ~~49.22~~ 49.811.

4 **SECTION 226.** 71.93 (1) (a) 3. and 4. of the statutes are amended to read:

5 71.93 (1) (a) 3. An amount that the department of health services may recover under
6 s. ~~49.45~~ (2) (a) 10., ~~49.497~~, ~~49.793~~, or ~~49.847~~ 49.021, if the department of health services has
7 certified the amount under s. ~~49.85~~.

8 4. An amount that the department of children and families may recover under s. ~~49.161~~
9 or ~~49.195~~ (3) or collect under s. ~~49.147~~ (6) (cm), if the department of children and families
10 has certified the amount under s. ~~49.85~~ 49.023.

11 **SECTION 227.** 73.0301 (2) (c) 2. of the statutes is amended to read:

12 73.0301 (2) (c) 2. A licensing department may not disclose any information received
13 under subd. 1. a. or b. to any person except to the department of revenue for the purpose of
14 requesting certifications under par. (b) 2. in accordance with the memorandum of
15 understanding under sub. (4) and administering state taxes or to the department of children and
16 families for the purpose of administering s. ~~49.22~~ 49.811.

17 **SECTION 228.** 76.636 (1) (e) 4. of the statutes is amended to read:

18 76.636 (1) (e) 4. A person who is eligible for child care assistance under s. ~~49.155~~
19 49.199.

20 **SECTION 229.** 77.61 (5) (b) 11. of the statutes is amended to read:

21 77.61 (5) (b) 11. The department of children and families or a county child support
22 agency under s. ~~59.53~~ (5) in response to a request under s. ~~49.22~~ 49.811 (2m).

23 **SECTION 230.** 85.24 (4) (b) of the statutes is amended to read:

1 85.24 (4) (b) Paragraph (a) does not prohibit the disclosure of the information to the
2 extent necessary to administer the ride-sharing program nor, if requested under s. ~~49.22~~
3 49.811 (2m), does it prohibit disclosure of the name or address of a person or of his or her
4 employer to the department of children and families or a county child support agency under
5 s. 59.53 (5).

6 **SECTION 231.** 101.02 (21) (b) of the statutes is amended to read:

7 101.02 (21) (b) As provided in the memorandum of understanding under s. 49.857 and
8 except as provided in par. (e), the department of commerce may not issue or renew a license
9 unless the applicant provides the department of commerce with his or her social security
10 number. The department of commerce may not disclose the social security number except that
11 the department of commerce may disclose the social security number of an applicant for a
12 license under par. (a) or a renewal of a license under par. (a) to the department of children and
13 families for the sole purpose of administering s. ~~49.22~~ 49.811.

14 **SECTION 232.** 102.17 (1) (cg) 3. of the statutes is amended to read:

15 102.17 (1) (cg) 3. The department of workforce development may not disclose any
16 information received under subd. 1. to any person except to the department of revenue for the
17 sole purpose of requesting certifications under s. 73.0301 or the department of children and
18 families for purposes of administering s. ~~49.22~~ 49.811.

19 **SECTION 233.** 102.33 (2) (b) 5. of the statutes is amended to read:

20 102.33 (2) (b) 5. The requester is the department of children and families or a county
21 child support agency under s. 59.53 (5), the request is made under s. ~~49.22~~ 49.811 (2m), and
22 the request is limited to the name and address of the employee who is the subject of the record,
23 the name and address of the employee's employer, and any financial information about that
24 employee contained in the record.

1 **SECTION 234.** 103.05 (1) and (4) (a) of the statutes are amended to read:

2 103.05 (1) The department shall establish and operate a hiring reporting system that
3 includes a state directory of new hires. All requirements under the reporting system shall be
4 consistent with federal laws and regulations that relate to the reporting of newly hired
5 employees for support collection purposes, as part of the state location service under s. ~~49.22~~
6 49.811 (2), or any other purposes specified in 42 USC 653a (h).

7 (4) (a) Except as provided in par. (b), no person may use or disclose information
8 obtained under this section except in the administration of the program under s. ~~49.22~~ 49.811
9 or a program specified in 42 USC 653a (h).

10 **SECTION 235.** 103.275 (2) (bg) 3: of the statutes is amended to read:

11 103.275 (2) (bg) 3. The department of workforce development may not disclose any
12 information received under subd. 1. to any person except to the department of revenue for the
13 sole purpose of requesting certifications under s. 73.0301 or the department of children and
14 families for purposes of administering s. ~~49.22~~ 49.811.

15 **SECTION 236.** 103.34 (10) (a) 4. of the statutes is amended to read:

16 103.34 (10) (a) 4. The department of workforce development may not disclose any
17 information received under subd. 1. to any person except to the department of revenue for the
18 sole purpose of requesting certifications under s. 73.0301 or on the request of the department
19 of children and families under s. ~~49.22~~ 49.811 (2m).

20 **SECTION 237.** 103.91 (2) (b) 3. of the statutes is amended to read:

21 103.91 (2) (b) 3. The department of workforce development may not disclose any
22 information received under subd. 1. to any person except to the department of revenue for the
23 sole purpose of requesting certifications under s. 73.0301 or the department of children and
24 families for purposes of administering s. ~~49.22~~ 49.811.