

1 **SECTION 353.** 71.93 (1) (a) 3. and 4. of the statutes are amended to read:

2 71.93 (1) (a) 3. An amount that the department of health services may recover
3 under s. 49.021, 49.45 (2) (a) 10., 49.497, or 49.793, ~~or 49.847~~, if the department of
4 health services has certified the amount under s. ~~49.85~~ 49.023.

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

8 **SECTION 354.** 73.0301 (2) (c) 2. of the statutes is amended to read:

9 73.0301 (2) (c) 2. A licensing department may not disclose any information
10 received under subd. 1. a. or b. to any person except to the department of revenue for
11 the purpose of requesting certifications under par. (b) 2. in accordance with the
12 memorandum of understanding under sub. (4) and administering state taxes or to
13 the department of children and families for the purpose of administering s. ~~49.22~~
14 49.811.

15 **SECTION 355.** 76.636 (1) (e) 3. of the statutes is amended to read:

16 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
17 (1) (n), ~~or in a real work, real pay project position under s. 49.147 (3m)~~.

18 **SECTION 356.** 76.636 (1) (e) 13. of the statutes is amended to read:

19 76.636 (1) (e) 13. A ~~food stamp~~ recipient of benefits under the supplemental
20 nutrition assistance program under 7 USC 2011 to 2036.

****NOTE: I added this section to update the food stamp language.

21 **SECTION 357.** 76.636 (2) (b) of the statutes, as affected by 2011 Wisconsin Act
22 32, is amended to read:

23 76.636 (2) (b) The amount determined by multiplying the amount determined
24 under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time

1 jobs created in a development zone and filled by a member of a targeted group and
2 by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
3 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

4 **SECTION 358.** 76.636 (2) (c) of the statutes, as affected by 2011 Wisconsin Act
5 32, is amended to read:

6 76.636 (2) (c) The amount determined by multiplying the amount determined
7 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
8 jobs created in a development zone and not filled by a member of a targeted group
9 and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
10 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

11 **SECTION 359.** 76.636 (2) (d) of the statutes, as affected by 2011 Wisconsin Act
12 32, is amended to read:

13 76.636 (2) (d) The amount determined by multiplying the amount determined
14 under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of
15 full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009
16 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an
17 enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for
18 which significant capital investment was made and by then subtracting the
19 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid
20 under s. 49.147 (3m) (c), 2009 stats., for those jobs.

21 **SECTION 360.** 76.636 (2) (e) of the statutes, as affected by 2011 Wisconsin Act
22 32, is amended to read:

23 76.636 (2) (e) The amount determined by multiplying the amount determined
24 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
25 jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,

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1 excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a
2 development zone and not filled by a member of a targeted group and by then
3 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
4 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

5 **SECTION 361.** 77.61 (5) (b) 11. of the statutes is amended to read:

6 77.61 (5) (b) 11. The department of children and families or a county child
7 support agency under s. 59.53 (5) in response to a request under s. ~~49.22~~ 49.811 (2m).

8 **SECTION 362.** 85.24 (4) (b) of the statutes is amended to read:

9 85.24 (4) (b) Paragraph (a) does not prohibit the disclosure of the information
10 to the extent necessary to administer the ride-sharing program nor, if requested
11 under s. ~~49.22~~ 49.811 (2m), does it prohibit disclosure of the name or address of a
12 person or of his or her employer to the department of children and families or a county
13 child support agency under s. 59.53 (5).

14 **SECTION 363.** 85.24 (4) (c) of the statutes is amended to read:

15 85.24 (4) (c) Any person who willfully discloses or who, under false pretenses,
16 willfully requests or obtains information in violation of par. (a) may be required to
17 forfeit not more than \$500 for each violation. This paragraph does not apply to
18 information disclosed, requested or obtained to the extent necessary to administer
19 the ride-sharing program or, if requested under s. ~~49.22~~ 49.811 (2m), to the
20 department of children and families or a county child support agency under s. 59.53
21 (5).

22 **SECTION 364.** 101.02 (21) (b) of the statutes, as affected by 2011 Wisconsin Act
23 32, is amended to read:

24 101.02 (21) (b) As provided in the memorandum of understanding under s.
25 49.857 and except as provided in par. (e), the department of safety and professional

1 services may not issue or renew a license unless the applicant provides the
2 department of safety and professional services with his or her social security number.
3 The department of safety and professional services may not disclose the social
4 security number except that the department of safety and professional services may
5 disclose the social security number of an applicant for a license under par. (a) or a
6 renewal of a license under par. (a) to the department of children and families for the
7 sole purpose of administering s. ~~49.22~~ 49.811.

8 **SECTION 365.** 101.123 (1) (abm) of the statutes is amended to read:

9 101.123 (1) (abm) "Child care center" has the meaning given in s. ~~49.136~~ 49.205
10 (1) (ad).

11 **SECTION 366.** 102.17 (1) (cg) 3. of the statutes is amended to read:

12 102.17 (1) (cg) 3. The department of workforce development may not disclose
13 any information received under subd. 1. to any person except to the department of
14 revenue for the sole purpose of requesting certifications under s. 73.0301 or the
15 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

16 **SECTION 367.** 102.29 (8r) of the statutes is amended to read:

17 102.29 (8r) No participant in a ~~food stamp~~ supplemental nutrition assistance
18 employment and training program under s. 49.79 (9) who, under s. 49.79 (9) (a) 5.,
19 is provided worker's compensation coverage by the department of health services or
20 by a Wisconsin Works agency, as defined in s. 49.001 (9), or other provider under
21 contract with the department of health services or a county department under s.
22 46.215, 46.22, or 46.23 or tribal governing body to administer the ~~food stamp~~
23 supplemental nutrition assistance employment and training program and who
24 makes a claim for compensation under this chapter may make a claim or maintain

1 an action in tort against the employer who provided the employment and training
2 from which the claim arose.

3 **SECTION 368.** 102.33 (2) (b) 5. of the statutes is amended to read:

4 102.33 (2) (b) 5. The requester is the department of children and families or a
5 county child support agency under s. 59.53 (5), the request is made under s. ~~49.22~~
6 49.811 (2m), and the request is limited to the name and address of the employee who
7 is the subject of the record, the name and address of the employee's employer, and
8 any financial information about that employee contained in the record.

9 **SECTION 369.** 103.05 (1) and (4) (a) of the statutes are amended to read:

10 103.05 (1) The department shall establish and operate a hiring reporting
11 system that includes a state directory of new hires. All requirements under the
12 reporting system shall be consistent with federal laws and regulations that relate to
13 the reporting of newly hired employees for support collection purposes, as part of the
14 state location service under s. ~~49.22~~ 49.811 (2), or any other purposes specified in 42
15 USC 653a (h).

16 (4) (a) Except as provided in par. (b), no person may use or disclose information
17 obtained under this section except in the administration of the program under s.
18 ~~49.22~~ 49.811 or a program specified in 42 USC 653a (h).

19 **SECTION 370.** 103.275 (2) (bg) 3. of the statutes is amended to read:

20 103.275 (2) (bg) 3. The department of workforce development may not disclose
21 any information received under subd. 1. to any person except to the department of
22 revenue for the sole purpose of requesting certifications under s. 73.0301 or the
23 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

24 **SECTION 371.** 103.34 (10) (a) 4. of the statutes is amended to read:

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

5 **SECTION 372.** 103.91 (2) (b) 3. of the statutes is amended to read:

6 103.91 (2) (b) 3. The department of workforce development may not disclose
7 any information received under subd. 1. to any person except to the department of
8 revenue for the sole purpose of requesting certifications under s. 73.0301 or the
9 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

10 **SECTION 373.** 103.92 (1) (b) 3. of the statutes is amended to read:

11 103.92 (1) (b) 3. The department of workforce development may not disclose
12 any information received under subd. 1. to any person except to the department of
13 revenue for the sole purpose of requesting certifications under. s. 73.0301 or the
14 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

15 **SECTION 374.** 104.07 (4) (c) of the statutes is amended to read:

16 104.07 (4) (c) The department of workforce development may not disclose any
17 information received under par. (a) to any person except to the department of
18 revenue for the sole purpose of requesting certifications under s. 73.0301 or the
19 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

20 **SECTION 375.** 105.06 (1m) (c) of the statutes is amended to read:

21 105.06 (1m) (c) The department of workforce development may not disclose any
22 information received under par. (a) to any person except to the department of
23 revenue for the sole purpose of requesting certifications under s. 73.0301 or the
24 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

25 **SECTION 376.** 106.54 (9) of the statutes is amended to read:

1 106.54 **(9)** The division shall receive complaints under s. 49.019 (4) (d) or 49.197
2 (6) (d) ~~or 49.845 (4) (d)~~ and shall process the complaints in the same manner that
3 employment discrimination complaints are processed under s. 111.39.

4 **SECTION 377.** 111.322 (2m) (bm) of the statutes is amended to read:

5 111.322 **(2m)** (bm) The individual files a complaint or attempts to enforce a
6 right under s. 49.019 (4) (d) or 49.197 (6) (d) or 49.845 (4) (d) or testifies or assists in
7 any action or proceeding under s. 49.019 (4) (d) or 49.197 (6) (d) or 49.845 (4) (d).

8 **SECTION 378.** 115.347 (2) of the statutes is amended to read:

9 115.347 **(2)** Whenever a school district that is located in whole or in part in a
10 county that has converted to the client assistance for reemployment and economic
11 support data system submits a report under sub. (1) in the prescribed format, the
12 department of children and families shall determine which children enrolled in the
13 school district are members of Wisconsin Works groups participating under s. 49.147
14 (3) to (5) or of families receiving aid to families with dependent children or ~~food~~
15 ~~stamps~~ benefits under the supplemental nutrition assistance program under 7 USC
16 2011 to 2036 and shall provide the information to the school board as soon thereafter
17 as possible. The school board shall use the information to directly certify children
18 as eligible for free or reduced-price meals served by the school district under federal
19 school nutrition programs, pursuant to 42 USC 1758 (b) (2) (C) (ii) and (iii).

****NOTE: I added this section to update the food stamp language.

20 **SECTION 379.** 118.15 (5) (b) 1. of the statutes is amended to read:

21 118.15 **(5)** (b) 1. Paragraph (a) does not apply to a person who has under his or
22 her control a child who has been sanctioned under s. ~~49.26~~ 49.198 (1) (h).

23 **SECTION 380.** 118.19 (1r) (a) and (10) (g) of the statutes are amended to read:

1 118.19 (1r) (a) As provided in the memorandum of understanding under s.
2 49.857, the department of public instruction may not issue or renew a license or
3 permit or revalidate a license that has no expiration date unless the applicant
4 provides the department of public instruction with his or her social security number.
5 The department of public instruction may not disclose the social security number
6 except to the department of children and families for the sole purpose of
7 administering s. ~~49.22~~ 49.811.

8 (10) (g) At the request under s. ~~49.22~~ 49.811 (2m) of the department of children
9 and families or a county child support agency under s. 59.53 (5), the state
10 superintendent shall release the name and address of the applicant or licensee, the
11 name and address of the applicant's or licensee's employer, and financial
12 information, if any, related to the applicant or licensee obtained under this
13 subsection to the department of children and families or the county child support
14 agency.

15 **SECTION 381.** 119.82 (1m) (c) of the statutes is amended to read:
16 119.82 (1m) (c) Has been or is being sanctioned under s. ~~49.26~~ 49.198 (1) (h).

17 **SECTION 382.** 134.43 (3m) of the statutes is amended to read:
18 134.43 (3m) Subsections (2) (b), (2m), and (3) do not apply to information
19 regarding the name, address, or employer of or financial information related to a
20 subscriber or member of a subscriber's household that is requested under s. ~~49.22~~
21 49.811 (2m) by the department of children and families or a county child support
22 agency under s. 59.53 (5).

23 **SECTION 383.** 149.12 (2) (f) 2. c. of the statutes is amended to read:
24 149.12 (2) (f) 2. c. Medical ^{plain} ~~assistance~~ Assistance under s. 49.46 (1) (1g) (a) 15.

25 **SECTION 384.** 169.34 (2) of the statutes is amended to read:

1 **169.34 (2) DISCLOSURE OF SOCIAL SECURITY NUMBERS.** The department of natural
2 resources may not disclose any social security numbers received under sub. (1) to any
3 person except to the department of children and families for the sole purpose of
4 administering s. ~~49.22~~ 49.811.

5 **SECTION 385.** 218.0114 (20) (c) and (21e) (a) of the statutes are amended to read:

6 **218.0114 (20) (c)** An applicant or licensee furnishing information under par. (a)
7 may designate the information as a trade secret, as defined in s. 134.90 (1) (c), or as
8 confidential business information. The licensor shall notify the applicant or licensee
9 providing the information 15 days before any information designated as a trade
10 secret or as confidential business information is disclosed to the legislature, a state
11 agency, as defined in s. 13.62 (2), a local governmental unit, as defined in s. 605.01
12 (1), or any other person. The applicant or licensee furnishing the information may
13 seek a court order limiting or prohibiting the disclosure, in which case the court shall
14 weigh the need for confidentiality of the information against the public interest in
15 the disclosure. A designation under this paragraph does not prohibit the disclosure
16 of a person's name or address, of the name or address of a person's employer, or of
17 financial information that relates to a person when requested under s. ~~49.22~~ 49.811
18 (2m) by the department of children and families or a county child support agency
19 under s. 59.53 (5).

20 **(21e) (a)** In addition to any other information required under this section and
21 except as provided in par. (c), an application by an individual for the issuance or
22 renewal of a license described in sub. (14) shall include the individual's social
23 security number and an application by a person who is not an individual for the
24 issuance or renewal of a license described in sub. (14) (a), (b), (c), or (e) shall include
25 the person's federal employer identification number. The licensor may not disclose

1 any information received under this paragraph to any person except the department
2 of children and families for purposes of administering s. ~~49.22~~ 49.811 or the
3 department of revenue for the sole purpose of requesting certifications under s.
4 73.0301.

5 **SECTION 386.** 218.11 (2) (am) 3. of the statutes, as affected by 2011 Wisconsin
6 Act 32, is amended to read:

7 218.11 **(2)** (am) 3. The department may not disclose any information received
8 under subd. 1. to any person except to the department of children and families for
9 purposes of administering s. ~~49.22~~ 49.811 or to the department of revenue for the sole
10 purpose of requesting certifications under s. 73.0301.

11 **SECTION 387.** 218.12 (2) (am) 2. of the statutes, as affected by 2011 Wisconsin
12 Act 32, is amended to read:

13 218.12 **(2)** (am) 2. The department may not disclose a social security number
14 obtained under par. (a) to any person except to the department of children and
15 families for the sole purpose of administering s. ~~49.22~~ 49.811 or to the department
16 of revenue for the sole purpose of requesting certifications under s. 73.0301.

17 **SECTION 388.** 218.21 (2m) (b) of the statutes is amended to read:

18 218.21 **(2m)** (b) The department of transportation may not disclose any
19 information received under sub. (2) (ag) or (am) to any person except to the
20 department of children and families for purposes of administering s. ~~49.22~~ 49.811 or
21 the department of revenue for the sole purpose of requesting certifications under s.
22 73.0301.

23 **SECTION 389.** 218.31 (1m) (b) of the statutes is amended to read:

24 218.31 **(1m)** (b) The department of transportation may not disclose any
25 information received under sub. (1) (ag) or (am) to any person except to the

1 department of children and families for purposes of administering s. ~~49.22~~ 49.811 or
2 the department of revenue for the sole purpose of requesting certifications under s.
3 73.0301.

4 **SECTION 390.** 218.41 (2) (am) 2. of the statutes is amended to read:

5 218.41 (2) (am) 2. The department of transportation may not disclose any
6 information received under subd. 1. a. or b. to any person except to the department
7 of children and families for the sole purpose of administering s. ~~49.22~~ 49.811 or the
8 department of revenue for the sole purpose of requesting certifications under s.
9 73.0301.

10 **SECTION 391.** 218.51 (3) (am) 2. of the statutes is amended to read:

11 218.51 (3) (am) 2. The department of transportation may not disclose any
12 information received under subd. 1. a. or b. to any person except to the department
13 of children and families for the sole purpose of administering s. ~~49.22~~ 49.811 or the
14 department of revenue for the sole purpose of requesting certifications under s.
15 73.0301.

16 **SECTION 392.** 227.01 (13) (im) of the statutes is repealed.

17 **SECTION 393.** 227.43 (1) (by) of the statutes is amended to read:

18 227.43 (1) (by) Assign a hearing examiner to preside over any hearing of a
19 contested case that is required to be conducted by the department of children and
20 families under ~~ch. 48 or subch. ss. 49.811 to 49.823, subch. II or III of ch. 49, or ch.~~
21 48 and that is not conducted by the secretary of children and families.

22 **SECTION 394.** 230.13 (3) (a) of the statutes is amended to read:

23 230.13 (3) (a) The director and the administrator shall provide to the
24 department of children and families or a county child support agency under s. 59.53
25 (5) information requested under s. ~~49.22~~ 49.811 (2m) that would otherwise be closed

1 to the public under this section. Information provided under this paragraph may
2 only include an individual's name and address, an individual's employer, and
3 financial information related to an individual.

4 **SECTION 395.** 230.44 (1) (h) and (i) of the statutes are amended to read:

5 230.44 (1) (h) *Decisions affecting Milwaukee County employees by the*
6 *department of health services.* A decision of the department of health services
7 relating to a Milwaukee County employee under s. ~~49.825~~ 49.009 (3) (b).

8 (i) *Decisions affecting certain county employees by the department of children*
9 *and families.* A decision of the department of children and families relating to a
10 county employee under s. ~~49.826~~ 49.011 (3) (b).

11 **SECTION 396.** 238.30 (4m) of the statutes, as affected by 2011 Wisconsin Act 32,
12 is amended to read:

13 238.30 (4m) "Member of a targeted group" means a person who resides in an
14 area designated by the federal government as an economic revitalization area, a
15 person who is employed in an unsubsidized job but meets the eligibility requirements
16 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
17 is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real work, real pay~~ ^{plain}
18 ~~project position under s. 49.147 (3m),~~ ^{2009 Stats.} a person who is eligible for child care assistance
19 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
20 disadvantaged youth, an economically disadvantaged veteran, a supplemental
21 security income recipient, a general assistance recipient, an economically
22 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a
23 ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance
24 program under 7 USC 2011 to 2036, if the person has been certified in the manner

1 under 26 USC 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51
2 (d) (12).

3 **SECTION 397.** 252.06 (10) (b) 4. of the statutes is amended to read:

4 252.06 (10) (b) 4. The expense of care provided under par. (a) to any dependent
5 person, as defined in s. ~~49.01~~ 49.801 (2).

6 **SECTION 398.** 252.07 (10) of the statutes is amended to read:

7 252.07 (10) Inpatient care for isolated pulmonary tuberculosis patients, and
8 inpatient care exceeding 30 days for other pulmonary tuberculosis patients, who are
9 not eligible for federal medicare benefits, for medical assistance under subch. IV of
10 ch. 49 or for health care services funded by a relief block grant under ~~subch. II of ch.~~
11 ~~49 ss. 49.801 to 49.808~~ may be reimbursed if provided by a facility contracted by the
12 department. If the patient has private health insurance, the state shall pay the
13 difference between health insurance payments and total charges.

14 **SECTION 399.** 291.15 (2) (d) of the statutes is amended to read:

15 291.15 (2) (d) *Use of confidential records.* Except as provided under par. (c) and
16 this paragraph, the department or the department of justice may use records and
17 other information granted confidential status under this subsection only in the
18 administration and enforcement of this chapter. The department or the department
19 of justice may release for general distribution records and other information granted
20 confidential status under this subsection if the owner or operator expressly agrees
21 to the release. The department or the department of justice may release on a limited
22 basis records and other information granted confidential status under this
23 subsection if the department or the department of justice is directed to take this
24 action by a judge or hearing examiner under an order which protects the
25 confidentiality of the records or other information. The department or the

1 department of justice may release to the U.S. environmental protection agency or its
2 authorized representative records and other information granted confidential status
3 under this subsection if the department or the department of justice includes in each
4 release of records or other information a request to the U.S. environmental
5 protection agency or its authorized representative to protect the confidentiality of
6 the records or other information. The department or the department of justice shall
7 provide to the department of children and families or a county child support agency
8 under s. 59.53 (5) the name and address of an individual, the name and address of
9 the individual's employer, and financial information related to the individual that is
10 contained in records or other information granted confidential status under this
11 subsection if requested under s. ~~49.22~~ 49.811 (2m) by the department of children and
12 families or a county child support agency under s. 59.53 (5).

13 **SECTION 400.** 301.12 (14) (b) and (g) of the statutes are amended to read:

14 301.12 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
15 of a parent specified in sub. (2) or s. 301.03 (18) for the care and maintenance of the
16 parent's minor child who has been placed by a court order under s. 938.183, 938.355,
17 or 938.357 in a residential, nonmedical facility such as a group home, foster home,
18 residential care center for children and youth, or juvenile correctional institution
19 shall be determined by the court by using the percentage standard established by the
20 department of children and families under s. ~~49.22~~ 49.811 (9) and by applying the
21 percentage standard in the manner established by the department under par. (g).

22 (g) For purposes of determining child support under par. (b), the department
23 shall promulgate rules related to the application of the standard established by the
24 department of children and families under s. ~~49.22~~ 49.811 (9) to a child support
25 obligation for the care and maintenance of a child who is placed by a court order

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1 under s. 938.183, 938.355, or 938.357 in a residential, nonmedical facility. The rules
2 shall take into account the needs of any person, including dependent children other
3 than the child, whom either parent is legally obligated to support.

4 **SECTION 401.** 301.45 (7) (a) of the statutes is amended to read:

5 301.45 (7) (a) The department shall maintain information provided under sub.
6 (2). The department shall keep the information confidential except as provided in
7 ss. 301.03 (14) and 301.46, except as needed for law enforcement purposes and except
8 to provide, in response to a request for information under s. ~~49.22~~ 49.811 (2m) made
9 by the department of children and families or a county child support agency under
10 s. 59.53 (5), the name and address of an individual registered under this section, the
11 name and address of the individual's employer, and financial information related to
12 the individual.

13 **SECTION 402.** 302.372 (2) (b) of the statutes is amended to read:

14 302.372 (2) (b) Before seeking any reimbursement under this section, the
15 county shall provide a form to be used for determining the financial status of
16 prisoners. The form shall provide for obtaining the social security number of the
17 prisoner, the age and marital status of a prisoner, the number and ages of children
18 of a prisoner, the number and ages of other dependents of a prisoner, the income of
19 a prisoner, type and value of real estate owned by a prisoner, type and value of
20 personal property owned by a prisoner, the prisoner's cash and financial institution
21 accounts, type and value of the prisoner's investments, pensions, and annuities, and
22 any other personalty of significant cash value owned by a prisoner. The county shall
23 use the form whenever investigating the financial status of prisoners. The
24 information on a completed form is confidential and not open to public inspection or
25 copying under s. 19.35 (1), except that the county shall provide the name and address

1 of an individual, the name and address of the individual's employer, and financial
2 information related to the individual from a form completed under this paragraph
3 in response to a request for information under s. ~~49.22~~ 49.811 (2m) made by the
4 department of children and families or a county child support agency under s. 59.53
5 (5).

6 **SECTION 403.** 341.51 (4g) (b) of the statutes is amended to read:

7 341.51 **(4g)** (b) The department of transportation may not disclose any
8 information obtained under sub. (4) (am) or (ar) to any person except to the
9 department of children and families for the sole purpose of administering s. ~~49.22~~
10 49.811 or the department of revenue for the sole purpose of requesting certifications
11 under s. 73.0301.

12 **SECTION 404.** 342.06 (1) (eg) of the statutes is amended to read:

13 342.06 **(1)** (eg) Except as provided in par. (eh), if the applicant is an individual,
14 the social security number of the applicant. The department of transportation may
15 not disclose a social security number obtained under this paragraph to any person
16 except to the department of children and families for the sole purpose of
17 administering s. ~~49.22~~ 49.811 and to the department of revenue for the purposes of
18 administering state taxes and collecting debt.

19 **SECTION 405.** 343.14 (2j) of the statutes is amended to read:

20 343.14 **(2j)** Except as otherwise required to administer and enforce this
21 chapter, the department of transportation may not disclose a social security number
22 obtained from an applicant for a license under sub. (2) (bm) to any person except to
23 the department of children and families for the sole purpose of administering s. ~~49.22~~
24 49.811, to the department of revenue for the purposes of administering state taxes
25 and collecting debt, or to the driver licensing agency of another jurisdiction.

1 **SECTION 406.** 343.305 (6) (e) 3. b. of the statutes is amended to read:

2 343.305 (6) (e) 3. b. The licensor may not disclose any information received
3 under subd. 2. a. or b. except to the department of children and families for purposes
4 of administering s. ~~49.22~~ 49.811 or the department of revenue for the sole purpose
5 of requesting certifications under s. 73.0301.

6 **SECTION 407.** 343.50 (8) (b) of the statutes is amended to read:

7 343.50 (8) (b) The department may not disclose any record or other information
8 concerning or relating to an applicant or identification card holder to any person
9 other than a court, district attorney, county corporation counsel, city, village, or town
10 attorney, law enforcement agency, driver licensing agency of another jurisdiction, a
11 procurement organization as provided in sub. (4m) (a), the applicant or identification
12 card holder or, if the applicant or identification card holder is under 18 years of age,
13 his or her parent or guardian. Except for photographs for which disclosure is
14 authorized under s. 343.237, persons entitled to receive any record or other
15 information under this paragraph shall not disclose the record or other information
16 to other persons or agencies. This paragraph does not prohibit the disclosure of a
17 person's name or address, of the name or address of a person's employer, or of
18 financial information that relates to a person when requested under s. ~~49.22~~ 49.811
19 (2m) by the department of children and families or a county child support agency
20 under s. 59.53 (5).

21 **SECTION 408.** 343.61 (2) (b) of the statutes is amended to read:

22 343.61 (2) (b) The department of transportation may not disclose any
23 information received under par. (a) 1. or 2. to any person except to the department
24 of children and families for purposes of administering s. ~~49.22~~ 49.811 or the

1 department of revenue for the sole purpose of requesting certifications under s.
2 73.0301.

3 **SECTION 409.** 343.62 (2) (b) of the statutes is amended to read:

4 343.62 (2) (b) The department of transportation may not disclose a social
5 security number obtained under par. (a) to any person except to the department of
6 children and families for the sole purpose of administering s. ~~49.22~~ 49.811 or the
7 department of revenue for the sole purpose of requesting certifications under s.
8 73.0301.

9 **SECTION 410.** 349.19 of the statutes is amended to read:

10 **349.19 Authority to require accident reports.** Any city, village, town, or
11 county may by ordinance require the operator of a vehicle involved in an accident to
12 file with a designated municipal department or officer a report of such accident or
13 a copy of any report required to be filed with the department. All such reports are
14 for the confidential use of such department or officer and are otherwise subject to s.
15 346.73, except that this section does not prohibit the disclosure of a person's name
16 or address, of the name or address of a person's employer, or of financial information
17 that relates to a person when requested under s. ~~49.22~~ 49.811 (2m) to the department
18 of children and families or a county child support agency under s. 59.53 (5).

19 **SECTION 411.** 440.03 (11m) (c) of the statutes, as affected by 2011 Wisconsin Act
20 32, is amended to read:

21 440.03 (11m) (c) The department of safety and professional services may not
22 disclose a social security number obtained under par. (a) to any person except the
23 coordinated licensure information system under s. 441.50 (7); the department of
24 children and families for purposes of administering s. ~~49.22~~ 49.811; and, for a social

1 security number obtained under par. (a) 1., the department of revenue for the
2 purpose of requesting certifications under s. 73.0301 and administering state taxes.

3 **SECTION 412.** 440.43 (5) of the statutes is amended to read:

4 440.43 (5) DEPARTMENT DISCLOSURE. The department shall not disclose
5 information under sub. (4) (c) 1. except to the extent necessary for investigative or
6 law enforcement purposes and except that the department may, if requested under
7 s. ~~49.22~~ 49.811 (2m), disclose information regarding the name, address or employer
8 of or financial information related to an individual to the department of children and
9 families or a county child support agency under s. 59.53 (5).

10 **SECTION 413.** 440.44 (10) of the statutes is amended to read:

11 440.44 (10) NONDISCLOSURE. The department may not disclose information
12 under sub. (9) (a) 1. to any person except to the extent necessary for investigative or
13 law enforcement purposes and except that the department may, if requested under
14 s. ~~49.22~~ 49.811 (2m), disclose information regarding the name, address or employer
15 of, or financial information related to an individual to the department of children and
16 families or a county child support agency under s. 59.53 (5).

17 **SECTION 414.** 440.92 (6) (d) of the statutes is amended to read:

18 440.92 (6) (d) All records described under pars. (b) 2. and (c) and maintained
19 by the board are confidential and are not available for inspection or copying under
20 s. 19.35 (1). This paragraph does not apply to any information regarding the name,
21 address or employer of, or financial information related to an individual that is
22 requested under s. ~~49.22~~ 49.811 (2m) by the department of children and families or
23 a county child support agency under s. 59.53 (5).

24 **SECTION 415.** 461.02 (9) (bm) 3. of the statutes is amended to read:

1 461.02 (9) (bm) 3. The requester is the department of children and families or
2 a county child support agency under s. 59.53 (5), the request is made under s. ~~49.22~~
3 49.811 (2m), and the request is limited to the name, home address, and business
4 address of the applicant, registrant, or controlling person who is the subject of the
5 request and any financial information about the applicant, registrant, or controlling
6 person contained in the record.

7 **SECTION 416.** 562.05 (8m) (a) of the statutes is amended to read:

8 562.05 (8m) (a) If the applicant for any license is an individual, the department
9 shall disclose his or her social security number to the department of children and
10 families for the purpose of administering s. ~~49.22~~ 49.811 and to the department of
11 revenue for the purpose of requesting certifications under s. 73.0301.

12 **SECTION 417.** 563.28 (2) of the statutes is amended to read:

13 563.28 (2) The department shall disclose the social security number of any
14 applicant for a supplier's license to the department of children and families for the
15 purpose of administering s. ~~49.22~~ 49.811.

16 **SECTION 418.** 628.095 (4) (a) of the statutes is amended to read:

17 628.095 (4) (a) The commissioner shall disclose a social security number
18 obtained under sub. (1) or (3) to the department of children and families in the
19 administration of s. ~~49.22~~ 49.811, as provided in a memorandum of understanding
20 entered into under s. 49.857.

21 **SECTION 419.** 632.69 (2) (c) of the statutes is amended to read:

22 632.69 (2) (c) The commissioner may not issue a license under this subsection
23 unless the applicant provides his or her social security number or its federal
24 employer identification number or, if the applicant does not have a social security
25 number, a statement made or subscribed under oath or affirmation that the

1 applicant does not have a social security number. An applicant who is providing a
2 statement that he or she does not have a social security number, shall provide that
3 statement along with the application for a license on a form prescribed by the
4 department of children and families. A licensee shall provide to the commissioner
5 the licensee's social security number, statement the licensee does not have the social
6 security number, or federal employment identification number of the licensee at the
7 time that the annual license renewal fee is paid, if not previously provided. The
8 commissioner shall disclose a social security number obtained from an applicant or
9 licensee to the department of children and families in the administration of s. ~~49.22~~
10 49.811, as provided in a memorandum of understanding entered into under s. 49.857.
11 The commissioner may disclose the social security number or federal employment
12 identification number of an applicant or licensee to the department of revenue for the
13 purpose of requesting certifications under s. 73.0301.

14 **SECTION 420.** 633.14 (2c) (a) of the statutes is amended to read:

15 633.14 (2c) (a) The commissioner shall disclose a social security number
16 obtained under sub. (1) (d) to the department of children and families in the
17 administration of s. ~~49.22~~ 49.811, as provided in a memorandum of understanding
18 entered into under s. 49.857.

19 **SECTION 421.** 751.15 (2) of the statutes is amended to read:

20 751.15 (2) The supreme court is requested to promulgate rules that require
21 each person who has a social security number, as a condition of membership in the
22 state bar, to provide the board of bar examiners with his or her social security
23 number, that require each person who does not have a social security number, as a
24 condition of membership in the state bar, to provide the board of bar examiners with
25 a statement made or subscribed under oath or affirmation on a form prescribed by

1 the department of children and families that the person does not have a social
2 security number, and that prohibit the disclosure of that number to any person
3 except the department of children and families for the purpose of administering s.
4 ~~49.22~~ 49.811.

5 **SECTION 422.** 767.127 (4) of the statutes is amended to read:

6 767.127 (4) FAILURE TO TIMELY FILE. If either party fails timely to file a complete
7 disclosure statement as required by this section, the court may accept as accurate
8 any information provided in the statement of the other party or obtained under s.
9 ~~49.22~~ 49.811 (2m) by the department or the county child support agency under s.
10 59.53 (5).

11 **SECTION 423.** 767.205 (2) (a) 1. and 2. and (b) 1. and 2. of the statutes are
12 amended to read:

13 767.205 (2) (a) 1. An action to establish paternity whenever there is a
14 completed application for legal services filed with the child support program under
15 s. ~~49.22~~ 49.811 or whenever s. 767.80 (6m) or (6r) applies.

16 2. An action to establish or enforce a child support or maintenance obligation
17 whenever there is a completed application for legal services filed with the child
18 support program under s. ~~49.22~~ 49.811.

19 (b) 1. Except as provided in subd. 2., in any action affecting the family under
20 a child support enforcement program, an attorney acting under s. ~~49.22~~ 49.811 or
21 59.53 (5), including any district attorney or corporation counsel, represents only the
22 state. Child support services provided by an attorney as specified in par. (a) do not
23 create an attorney-client relationship with any other party.

1 2. Subdivision 1. does not apply to an attorney who is employed by the
2 department under s. ~~49.22~~ 49.811 or a county under s. 59.53 (5) or (6) (a) to act as the
3 guardian ad litem of the minor child for the purpose of establishing paternity.

4 **SECTION 424.** 767.215 (1) (b) and (2m) (a) 2. of the statutes are amended to read:

5 767.215 (1) (b) The clerk of court shall provide without charge, to each person
6 filing a petition requesting child support, a document setting forth the percentage
7 standard established by the department under s. ~~49.22~~ 49.811 (9) and listing the
8 factors that a court may consider under s. 767.511 (1m).

9 **(2m)** (a) 2. Shall be accompanied by a document, provided without charge by
10 the clerk of court, setting forth the percentage standard established by the
11 department under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may consider
12 under s. 767.511 (1m).

13 **SECTION 425.** 767.225 (1n) (b) 1. of the statutes is amended to read:

14 767.225 (1n) (b) 1. If the court makes a temporary child support order that
15 deviates from the amount of support that would be required by using the percentage
16 standard established by the department under s. ~~49.22~~ 49.811 (9), the court shall
17 comply with the requirements of s. 767.511 (1n).

18 **SECTION 426.** 767.241 (1) (b) of the statutes is amended to read:

19 767.241 (1) (b) If one party receives services under s. ~~49.22~~ 49.811 or services
20 provided by the state or county as a result of an assignment of income under s. 49.19,
21 order the other party to pay any fee chargeable under s. ~~49.22~~ 49.811 (6) or the cost
22 of services rendered by the state or county under s. 49.19.

23 **SECTION 427.** 767.241 (3) of the statutes is amended to read:

1 767.241 (3) TO WHOM PAID. The court may order that the amount be paid directly
2 to the attorney or to the state or the county providing services under s. ~~49.22~~ or 49.19
3 or 49.811, who may enforce the order in its name.

4 **SECTION 428.** 767.407 (1) (c) 1. of the statutes is amended to read:

5 767.407 (1) (c) 1. Aid is provided under s. 48.57 (3m) or (3n), 48.645, 49.19, or
6 49.45 on behalf of the child, or benefits are provided to the child's custodial parent
7 under ss. 49.141 to 49.161, but the state and its delegate under s. ~~49.22~~ 49.811 (7)
8 are barred by a statute of limitations from commencing an action under s. 767.80 on
9 behalf of the child.

10 **SECTION 429.** 767.407 (1) (c) 2. of the statutes is amended to read:

11 767.407 (1) (c) 2. An application for legal services has been filed with the child
12 support program under s. ~~49.22~~ 49.811 on behalf of the child, but the state and its
13 delegate under s. ~~49.22~~ 49.811 (7) are barred by a statute of limitations from
14 commencing an action under s. 767.80 on behalf of the child.

15 **SECTION 430.** 767.511 (1g) and (1j) of the statutes are amended to read:

16 767.511 (1g) CONSIDERATION OF FINANCIAL INFORMATION. In determining child
17 support payments, the court may consider all relevant financial information or other
18 information relevant to the parent's earning capacity, including information
19 reported under s. ~~49.22~~ 49.811 (2m) to the department or the county child support
20 agency under s. 59.53 (5).

21 (1j) PERCENTAGE STANDARD GENERALLY REQUIRED. Except as provided in sub.
22 (1m), the court shall determine child support payments by using the percentage
23 standard established by the department under s. ~~49.22~~ 49.811 (9).

24 **SECTION 431.** 767.521 (intro.) of the statutes is amended to read:

1 **767.521 Action by state for child support.** (intro.) The state or its delegate
2 under s. ~~49.22~~ 49.811 (7) shall bring an action for support of a minor child under s.
3 767.001 (1) (f) or for paternity determination and child support under s. 767.80 if the
4 child's right to support is assigned to the state under s. 48.57 (3m) (b) 2. or (3n) (b)
5 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the
6 following apply:

7 **SECTION 432.** 767.55 (2) (am) (intro.) and 1m. and (c) of the statutes are
8 amended to read:

9 **767.55 (2) (am) (intro.)** In an action for modification of a child support order
10 under s. 767.59, an action in which an order for child support is required under s.
11 767.511 (1), 767.805 (4), or 767.89 (3), or a contempt of court proceeding to enforce
12 a child support or family support order in a county that contracts under s. ~~49.36~~
13 49.163 (2), the court may order a parent who is not a custodial parent to register for
14 a work experience and job training program under s. ~~49.36~~ 49.163 if all of the
15 following conditions are met:

16 1m. If the parent resides in a county other than the county in which the court
17 action or proceeding takes place, the parent resides in a county with a work
18 experience and job training program under s. ~~49.36~~ 49.163 and that county agrees
19 to enroll the parent in the program.

20 (c) If the court enters an order under par. (am), it shall order the parent to pay
21 child support equal to the amount determined by applying the percentage standard
22 established under s. ~~49.22~~ 49.811 (9) or equal to the amount of child support that the
23 parent was ordered to pay in the most recent determination of support under this
24 chapter. The child support obligation ordered under this paragraph continues until
25 the parent makes timely payment in full for 3 consecutive months or until the person

1 participates in the program under s. ~~49.36~~ 49.163 for 16 weeks, whichever occurs
2 first. The court shall provide in its order that the parent shall make child support
3 payments calculated under s. 767.511 (1j) or (1m) after the obligation to make
4 payments ordered under this paragraph ceases.

5 **SECTION 433.** 767.553 (1) (a) and (b) of the statutes are amended to read:

6 767.553 (1) (a) An order for child or family support under this chapter may
7 provide for an annual adjustment in the amount to be paid based on a change in the
8 payer's income if the amount of child or family support is expressed in the order as
9 a fixed sum and based on the percentage standard established by the department
10 under s. ~~49.22~~ 49.811 (9). No adjustment may be made under this section unless the
11 order provides for the adjustment.

12 (b) An adjustment under this section may not be made more than once in a year
13 and shall be determined on the basis of the percentage standard established by the
14 department under s. ~~49.22~~ 49.811 (9).

15 **SECTION 434.** 767.59 (1f) (b) 4. and (c) 1. and (2) (a) of the statutes are amended
16 to read:

17 767.59 (1f) (b) 4. A difference between the amount of child support ordered by
18 the court to be paid by the payer and the amount that the payer would have been
19 required to pay based on the percentage standard established by the department
20 under s. ~~49.22~~ 49.811 (9) if the court did not use the percentage standard in
21 determining the child support payments and did not provide the information
22 required under s. 46.10 (14) (d), 49.345 (14) (d), 301.12 (14) (d), or 767.511 (1n),
23 whichever is appropriate.

24 (c) 1. Unless the amount of child support is expressed in the judgment or order
25 as a percentage of parental income, a change in the payer's income, evidenced by

1 information received under s. ~~49.22~~ 49.811 (2m) by the department or the county
2 child support agency under s. 59.53 (5) or by other information, from the payer's
3 income determined by the court in its most recent judgment or order for child
4 support, including a revision of a child support order under this section.

5 (2) (a) Except as provided in par. (b) or (c), if the court revises a judgment or
6 order with respect to child support payments, it shall do so by using the percentage
7 standard established by the department under s. ~~49.22~~ 49.811 (9).

8 **SECTION 435.** 767.80 (1) (j), (5) (b) and (7) of the statutes are amended to read:

9 767.80 (1) (j) A parent of a person listed under par. (b), (c) or (d), if the parent
10 is liable or is potentially liable for maintenance of a child of a dependent person under
11 s. ~~49.90~~ 49.039 (1) (a) 2.

12 (5) (b) An action under this section may be joined with any other action for child
13 support and is governed by the procedures specified in s. 767.205 relating to child
14 support, except that the title of the action shall be "In re the paternity of A.B." The
15 petition shall state the name and date of birth of the child if born or that the mother
16 is pregnant if the child is unborn, the name of any alleged father, whether or not an
17 action by any of the parties to determine the paternity of the child or rebut the
18 presumption of paternity to the child has at any time been commenced, or is pending
19 before any court, in this state or elsewhere. If a paternity judgment has been
20 rendered, or if a paternity action has been dismissed, the petition shall state the
21 court that rendered the judgment or dismissed the action, and the date and the place
22 the judgment was granted if known. The petition shall also give notice of a party's
23 right to request a genetic test under s. ~~49.225~~ 49.817 or 767.84.

24 (7) CLERK TO PROVIDE DOCUMENT. The clerk of court shall provide without charge
25 to each person bringing an action under this section, except to the state under sub.

1 (1) (g) or (6m), a document setting forth the percentage standard established by the
2 department under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may consider
3 under s. 767.511 (1m).

4 **SECTION 436.** 767.813 (6) of the statutes is amended to read:

5 767.813 (6) DOCUMENT. The summons served on the respondent shall be
6 accompanied by a document, provided without charge by the clerk of court, setting
7 forth the percentage standard established by the department under s. ~~49.22~~ 49.811
8 (9) and listing the factors that a court may consider under s. 767.511 (1m).

9 **SECTION 437.** 767.83 (3) of the statutes is amended to read:

10 767.83 (3) APPEARANCE BY STATE'S ATTORNEY NOT AFFECTED. This section does not
11 prevent an attorney responsible for support enforcement under s. 59.53 (6) (a) or any
12 other attorney employed under s. ~~49.22~~ 49.811 or 59.53 (5) from appearing in any
13 paternity action as provided under s. 767.80 (6).

14 **SECTION 438.** 767.84 (1) (a), (1m) and (5) (b) of the statutes are amended to read:

15 767.84 (1) (a) The court may, and upon request of a party shall, require the
16 child, mother, any male for whom there is probable cause to believe that he had
17 sexual intercourse with the mother during a possible time of the child's conception,
18 or any male witness who testifies or will testify about his sexual relations with the
19 mother at a possible time of conception to submit to genetic tests. Probable cause of
20 sexual intercourse during a possible time of conception may be established by a
21 sufficient petition or affidavit of the child's mother or an alleged father, filed with the
22 court, or after an examination under oath of a party or witness, when the court
23 determines that an examination is necessary. The court is not required to order a
24 person who has undergone a genetic test under s. ~~49.225~~ 49.817 to submit to another
25 test under this paragraph unless a party requests additional tests under sub. (2).

1 **(1m) REBUTTABLE PRESUMPTION.** If genetic tests ordered under this section or
2 s. ~~49.225~~ 49.817 show that the alleged father is not excluded and that the statistical
3 probability of the alleged father's parentage is 99.0% or higher, the alleged father
4 shall be rebuttably presumed to be the child's parent.

5 **(5) (b)** If 2 or more identical series of genetic tests are performed upon the same
6 person, regardless of whether the tests were ordered under this section or s. ~~49.225~~
7 49.817 or 767.863 (2), the court shall require the person requesting the 2nd or
8 subsequent series of tests to pay for the series in advance, unless the court finds that
9 the person is indigent.

10 **SECTION 439.** 767.85 (2) of the statutes is amended to read:

11 **767.85 (2) CONSIDERATIONS.** Before making any temporary order under sub. (1),
12 the court shall consider those factors that the court is required to consider when
13 granting a final judgment on the same subject matter. If the court makes a
14 temporary child support order that deviates from the amount of support that would
15 be required by using the percentage standard established by the department under
16 s. ~~49.22~~ 49.811 (9), the court shall comply with the requirements of s. 767.511 (1n).

17 **SECTION 440.** 767.853 (2) of the statutes is amended to read:

18 **767.853 (2) INFORMATION ACCESS TO DEPARTMENT AND CHILD SUPPORT AGENCIES.**
19 The clerk of circuit court shall provide access to the record of any pending paternity
20 proceeding to the department or any county child support agency under s. 59.53 (5)
21 for purposes related to administering the child and spousal support and
22 establishment of paternity and medical support liability program under ss. ~~49.22~~
23 49.811 and 59.53 (5), regardless of whether the department or county child support
24 agency is a party to the proceeding.

25 **SECTION 441.** 767.863 (2) of the statutes is amended to read:

1 767.863 (2) ORDER FOR TESTS. If at the first appearance it appears from a
2 sufficient petition or affidavit of the child's mother or an alleged father or from sworn
3 testimony of the child's mother or an alleged father that there is probable cause to
4 believe that any of the males named has had sexual intercourse with the mother
5 during a possible time of the child's conception, the court may, or upon the request
6 of any party shall, order any of the named persons to submit to genetic tests. The
7 tests shall be conducted in accordance with s. 767.84. The court is not required to
8 order a person who has undergone a genetic test under s. ~~49.225~~ 49.817 to submit to
9 another genetic test under this subsection unless a party requests additional tests
10 under s. 767.84 (2).

11 **SECTION 442.** 767.87 (1) (c) of the statutes is amended to read:

12 767.87 (1) (c) Genetic test results under s. ~~49.225~~ 49.817, 767.84, or 885.23.

13 **SECTION 443.** 767.893 (2) (b) 2. of the statutes is amended to read:

14 767.893 (2) (b) 2. The alleged father who fails to appear has had genetic tests
15 under s. ~~49.225~~ 49.817 or 767.84 showing that the alleged father is not excluded and
16 that the statistical probability of the alleged father's parentage is 99.0 percent or
17 higher.

18 **SECTION 444.** 802.10 (1) of the statutes is amended to read:

19 802.10 (1) APPLICATION. This section applies to all actions and special
20 proceedings except appeals taken to circuit court; actions seeking the remedy
21 available by certiorari, habeas corpus, mandamus, prohibition, and quo warranto;
22 actions in which all defendants are in default; provisional remedies; and actions
23 under ss. ~~49.90~~ 49.039 and s. 66.0114 and chs. 48, 54, 102, 108, 227, 348, 767, 778,
24 799 and 812, and proceedings under chs. 851 to 882.

25 **SECTION 445.** 803.03 (2) (a) and (bm) of the statutes are amended to read:

1 803.03 (2) (a) *Joinder of related claims.* A party asserting a claim for
2 affirmative relief shall join as parties to the action all persons who at the
3 commencement of the action have claims based upon subrogation to the rights of the
4 party asserting the principal claim, derivation from the principal claim, or
5 assignment of part of the principal claim. For purposes of this section, a person's
6 right to recover for loss of consortium shall be deemed a derivative right. Any public
7 assistance recipient or any estate of such a recipient asserting a claim against a 3rd
8 party for which the public assistance provider has a right of subrogation or
9 assignment under s. ~~49.89~~ 49.037 (2) or (3) shall join the provider as a party to the
10 claim. Any party asserting a claim based upon subrogation to part of the claim of
11 another, derivation from the rights or claim of another, or assignment of part of the
12 rights or claim of another shall join as a party to the action the person to whose rights
13 the party is subrogated, from whose claim the party derives his or her rights or claim,
14 or by whose assignment the party acquired his or her rights or claim.

15 (bm) *Joinders because of implication of medical assistance.* If the department
16 of health services is joined as a party pursuant to par. (a) and s. ~~49.89~~ 49.037 (2)
17 because of the provision of benefits under subch. IV of ch. 49, the department of
18 health services need not sign a waiver of the right to participate in order to have its
19 interests represented by the party that caused the joinder. If the department of
20 health services makes no selection under par. (b), the party causing the joinder shall
21 represent the interests of the department of health services and the department of
22 health services shall be bound by the judgment in the action.

23 **SECTION 446.** 812.30 (9) of the statutes is amended to read:

24 812.30 (9) "Need-based public assistance" means aid to families with
25 dependent children, relief funded by a relief block grant under ch. 49, relief provided

1 by counties under s. 59.53 (21), ~~medical assistance~~ Medical Assistance,
2 supplemental security income, ~~food stamps~~ supplemental nutrition assistance
3 program benefits, or benefits received by veterans under s. 45.40 (1m) or under 38
4 USC 501 to 562.

5 **SECTION 447.** 812.44 (4) 2. (form) of the statutes is amended to read:

6 812.44 (4) 2. (form) You receive aid to families with dependent children, relief
7 funded by a relief block grant under ch. 49, relief provided by counties under section
8 s. 59.53 (21) of the Wisconsin Statutes, ~~medical assistance~~ Medical Assistance,
9 supplemental security income, ~~food stamps~~ supplemental nutrition assistance
10 program benefits, or veterans benefits based on need under 38 USC 501 to 562 or
11 section 45.351 (1) of the Wisconsin Statutes, or have received these benefits within
12 the past 6 months.

13 **SECTION 448.** 812.44 (5) 2. (form) of the statutes is amended to read:

14 812.44 (5) 2. (form) I receive, am eligible for, or have within 6 months received,
15 aid to families with dependent children, relief funded by a relief block grant under
16 ch. 49, relief provided by counties under section 59.53 (21) of the Wisconsin Statutes,
17 ~~medical assistance~~ Medical Assistance, supplemental security income, ~~food stamps~~
18 supplemental nutrition assistance program benefits, or veterans benefits based on
19 need under 38 USC 501 to 562 or section 45.351 (1) of the Wisconsin Statutes.

***NOTE: I added s. 812.44 (4) and (5) to update the food stamp language.

20 **SECTION 449.** 813.12 (5) (b) of the statutes is amended to read:

21 813.12 (5) (b) The clerk of circuit court shall provide the simplified forms
22 provided under s. ~~49.165~~ 49.217 (3) (c) to help a person file a petition.

23 **SECTION 450.** 814.03 (3) of the statutes is amended to read:

1 814.03 (3) Notwithstanding subs. (1) and (2), where the department of health
2 services or a county is joined as a plaintiff pursuant to ss. ~~49.89~~ 49.037 (2) and 803.03
3 (2) (a) because of the provision of benefits under subch. IV of ch. 49, the department
4 of health services or the county shall not be liable for costs to any prevailing
5 defendant.

6 **SECTION 451.** 814.29 (1) (d) 1. of the statutes is amended to read:

7 814.29 (1) (d) 1. That the person is a recipient of means-tested public
8 assistance, including aid to families with dependent children, relief funded by a relief
9 block grant under ch. 49, relief provided by counties under s. 59.53 (21), ~~medical~~
10 ~~assistance~~ Medical Assistance, supplemental security income, ~~food stamps~~
11 supplemental nutrition assistance program benefits, or benefits received by
12 veterans under s. 45.40 (1m) or under 38 USC 501 to 562.

13 **SECTION 452.** 815.18 (13) (a) of the statutes is amended to read:

14 815.18 (13) (a) Assistance benefits exempt under s. ~~49.96~~ 49.043.

15 **SECTION 453.** 859.07 (2) (a) 2. of the statutes is amended to read:

16 859.07 (2) (a) 2. The decedent was responsible for any obligation owing to the
17 state or a county under s. 46.03 (18), 46.10, 48.36, ~~49.32~~ 49.06 (1), 49.345, 301.03 (18),
18 301.12, or 938.36.

19 **SECTION 454.** 859.15 of the statutes is amended to read:

20 **859.15 Effect of statute of limitations.** Except as provided in ss. 46.10 (11),
21 ~~49.08~~, 49.195 (1), 49.345 (11), 49.808, and 301.12 (11), a claim shall not be allowed
22 that was barred by any statute of limitations at the time of the decedent's death. A
23 claim shall not be barred by statutes of limitation that was not barred at the time of
24 the decedent's death if the claim is filed against the decedent's estate in the court on
25 or before the deadline for filing a claim under s. 859.01.

1 **SECTION 455.** 885.01 (5) of the statutes is amended to read:

2 885.01 (5) By the department of children and families or a county child support
3 agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, ~~49.22~~, 49.46,
4 49.47, ~~and 49.471~~, ~~and 49.811~~ and programs carrying out the purposes of 7 USC 2011
5 to ~~2029~~ 2036.

 ****NOTE: I corrected the citation to include all of the supplemental nutritional
assistance program. Please let me know if this is inconsistent with the intent of the
committee.

6 **SECTION 456.** 895.45 (1) (a) of the statutes is amended to read:

7 895.45 (1) (a) "Abusive conduct" means domestic abuse, as defined under s.
8 ~~49.165~~ 49.217 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under
9 s. 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault
10 under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under
11 ss. 948.02 to 948.11.

12 **SECTION 457.** 938.30 (6) (b) of the statutes is amended to read:

13 938.30 (6) (b) If it appears to the court that disposition of the case may include
14 placement of the juvenile outside the juvenile's home, the court shall order the
15 juvenile's parent to provide a statement of the income, assets, debts, and living
16 expenses of the juvenile and the juvenile's parent to the court or the designated
17 agency under s. 938.33 (1) at least 5 days before the scheduled date of the
18 dispositional hearing or as otherwise ordered by the court. The clerk of court shall
19 provide, without charge, to any parent ordered to provide that statement a document
20 setting forth the percentage standard established by the department of children and
21 families under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may consider
22 under s. 301.12 (14) (c).

23 **SECTION 458.** 938.31 (7) (b) of the statutes is amended to read:

1 938.31 (7) (b) If it appears to the court that disposition of the case may include
2 placement of the juvenile outside the juvenile's home, the court shall order the
3 juvenile's parent to provide a statement of the income, assets, debts, and living
4 expenses of the juvenile and the juvenile's parent, to the court or the designated
5 agency under s. 938.33 (1) at least 5 days before the scheduled date of the
6 dispositional hearing or as otherwise ordered by the court. The clerk of court shall
7 provide, without charge, to any parent ordered to provide the statement a document
8 setting forth the percentage standard established by the department of children and
9 families under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may consider
10 under s. 301.12 (14) (c).

11 **SECTION 459.** 938.357 (5m) (a) of the statutes is amended to read:

12 938.357 (5m) (a) If a proposed change in placement would change a juvenile's
13 placement from a placement in the juvenile's home to a placement outside the
14 juvenile's home, the court shall order the juvenile's parent to provide a statement of
15 the income, assets, debts, and living expenses of the juvenile and the juvenile's
16 parent to the court or the person or agency primarily responsible for implementing
17 the dispositional order by a date specified by the court. The clerk of court shall
18 provide, without charge, to any parent ordered to provide that statement a document
19 setting forth the percentage standard established by the department of children and
20 families under s. ~~49.22~~ 49.811 (9) and listing the factors under s. 301.12 (14) (c). If
21 the juvenile is placed outside the juvenile's home, the court shall determine the
22 liability of the parent in the manner provided in s. 301.12 (14).

23 **SECTION 460.** 938.36 (1) (b) of the statutes is amended to read:

24 938.36 (1) (b) In determining the amount of support under par. (a), the court
25 may consider all relevant financial information or other information relevant to the

1 parent's earning capacity, including information reported under s. ~~49.22~~ 49.811 (2m)
2 to the department of children and families, or the county child support agency, under
3 s. 59.53 (5). If the court has insufficient information with which to determine the
4 amount of support, the court shall order the juvenile's parent to furnish a statement
5 of the income, assets, debts, and living expenses of the juvenile and the juvenile's
6 parent, if the parent has not already done so, to the court within 10 days after the
7 court's order transferring custody or designating an alternative placement is entered
8 or at such other time as ordered by the court.

9 **SECTION 461.** 938.363 (1) (c) of the statutes is amended to read:

10 938.363 (1) (c) If the proposed revision is for a change in the amount of child
11 support to be paid by a parent, the court shall order the juvenile's parent to provide
12 a statement of the income, assets, debts, and living expenses of the juvenile and the
13 juvenile's parent to the court and the person or agency primarily responsible for
14 implementing the dispositional order by a date specified by the court. The clerk of
15 court shall provide, without charge, to any parent ordered to provide that statement
16 a document setting forth the percentage standard established by the department of
17 children and families under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may
18 consider under s. 301.12 (14) (c).

19 **SECTION 462.** 946.90 (title) of the statutes is created to read:

20 **946.90 (title) Wisconsin Works fraud.**

21 **SECTION 463.** 946.90 (1) of the statutes is created to read:

22 946.90 (1) In this section:

23 (a) "Provider" means a Wisconsin Works agency or a person that contracts with
24 a Wisconsin Works agency to provide services to a participant in a Wisconsin Works.

1 (b) "Wisconsin Works" means the assistance program for families with
2 dependent children, administered under ss. 49.141 to 49.161.

3 (c) "Wisconsin Works agency" has the meaning given in s. 49.001 (9).

4 **SECTION 464.** 946.90 (2) of the statutes is created to read:

5 946.90 (2) A person who does any of the following is guilty of a Class A
6 misdemeanor:

7 (a) Intentionally makes or causes to be made any false statement or
8 representation of a material fact in any application for or receipt of any Wisconsin
9 Works benefit or payment.

10 (b) Having knowledge of the occurrence of any event affecting the initial or
11 continued eligibility for a Wisconsin Works benefit or payment under Wisconsin
12 Works, conceals or fails to disclose that event with an intent to fraudulently secure
13 a Wisconsin Works benefit or payment either in a greater amount or quantity than
14 is due or when no such benefit or payment is authorized.

15 **SECTION 465.** 946.91 (title), (1) and (2) (intro.) of the statutes are created to
16 read:

17 **946.91 (title) Medical Assistance fraud. (1)** In this section:

18 (a) "Facility" means a nursing home or a community-based residential facility
19 that is licensed under s. 50.03 and that is certified by the department of health
20 services as a provider of ^{aid under} Medical Assistance.

21 (b) "Medical Assistance" means ^{the program providing} aid ~~provided~~ under subch. IV of ch. 49, except
22 ss. 49.468 and 49.471.

23 (c) "Provider" means a person, corporation, limited liability company,
24 partnership, incorporated business, or professional association, and any agent or
25 employee thereof ^{who} provides services under Medical Assistance. ✓

1 (2) (intro.) Whoever does any of the following is guilty of a Class H felony, except
2 that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may
3 be fined not more than \$25,000:

4 **SECTION 466.** 946.92 (1) (e) and (3) (a) (intro.) of the statutes are created to read:

5 946.92 (1) (e) "Supplemental nutrition assistance program" has the meaning
6 given in s. 49.79 (1) (fg).

7 (3) (a) (intro.) Whoever violates sub. (2) is subject to the following penalties:

8 **SECTION 467.** 946.93 of the statutes is created to read:

9 **946.93 Public assistance fraud.** (1) In this section, "public assistance"
10 means any aid ^{or benefit} ^{or services} provided under ch. 49. ✓

11 (2) Whoever intentionally makes or causes to be made any false statement or
12 representation of material fact in any application for or receipt of public assistance
13 is guilty of a Class H felony.

14 (3) No person may do any of the following:

15 (a) Having knowledge of an event affecting the initial or continued eligibility
16 for public assistance, conceal or fail to disclose that event with an intent to
17 fraudulently secure public assistance, including payment either in a greater amount
18 or quantity than is due or when no such benefit or payment is authorized.

19 (b) Receive any income or assets and fail to notify the public assistance agency
20 within 10 days after receiving the income or assets, unless a different time period is
21 required under the applicable public assistance program.

****NOTE: I changed "or within the time period required under the applicable public assistance program" to "unless a different time period is required..." This clarifies that if a different time period exists under a public assistance program it trumps the 10-day period created in this section. Is this consistent with the intent of the committee?

22 (c) Fail to notify the public assistance agency within 10 days of any change in
23 circumstances for which notification by the recipient must be provided under current

or if a

1 law, ² unless a different time period is required under the applicable public assistance
2 program, *→ within that time period ✓*

3 (d) Receive a voucher under a public assistance program for goods or services
4 and use the funding granted under the voucher for purposes that are not authorized
5 by the public assistance agency.

* ****NOTE: The language in WLC 0106 would make it a crime to ² not use a voucher.
I assumed that the crime is actually to use the funds for something other than the
authorized purpose. If this is incorrect, please let me know.

6 (e) Whoever violates par. (a), (b), (c), or (d) is subject to the following penalties:

7 1. If the value of the payment or benefit does not exceed \$300, a forfeiture of
8 not more than \$1,000.

9 2. If the value of the payment or benefit is more than \$300 but does not exceed
10 \$1,000, a fine of not more than \$250 or imprisonment of not more than 6 months, or
11 both.

12 3. If the value of the payment or benefit is more than \$1,000 but does not exceed
13 \$2,000, a Class A misdemeanor.

14 4. If the value of the payment or benefit is more than \$2,000 but does not exceed
15 \$5,000, a Class I felony.

16 5. If the value of the payment or benefit is more than \$5,000 but does not exceed
17 \$10,000, a Class H felony.

18 6. If the value of the payment or benefit is more than \$10,000, a Class G felony.

19 (4) A person who obtains money, goods, services, or any other thing of value
20 because he or she sends or brings a person to a county department, tribal governing
21 body, or ² @ Wisconsin Works agency *✓* for the purpose of obtaining public assistance is
22 guilty of a Class C misdemeanor.

****NOTE: The meaning of "sends or brings" is unclear to me. Does the person have
to physically bring the person to the particular office? Would the word "refer" capture the

committee's intent? Also, does this section need an exception similar to sub. (5) (c) 2.? It seems like without an exception this subsection could apply to social workers or other people who get paid to direct people to these programs as part of their job.

1 (5) (a) Whoever solicits or receives money, goods, services, or any other thing
2 of value in return for referring an individual to a person for the furnishing or
3 arranging for the furnishing of any item or service for which a public assistance
4 payment may be made in whole or in part, or in return for purchasing, leasing,
5 ordering, or arranging for or recommending purchasing, leasing, or ordering any
6 good, facility, service, or item for which public assistance payment may be made in
7 whole or in part, is guilty of a Class H felony, except that, notwithstanding the
8 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
9 \$25,000.

10 (b) Whoever offers or pays money, goods, services, or any other thing of value
11 to any person to induce the person to refer an individual to a person for the furnishing
12 or arranging for the furnishing of any item or service for which public assistance
13 payment may be made in whole or in part, or to purchase, lease, order, or arrange for
14 or recommend purchasing, leasing, or ordering any good, facility, service, or item for
15 which public assistance payment may be made in whole or in part, is guilty of a Class
16 H felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3)
17 (h), the person may be fined not more than \$25,000.

18 (c) This subsection does not apply to any of the following:

19 1. A discount or other reduction in price obtained by a provider of services or
20 other entity under chs. 46 to 51 and 58 if the reduction in price is properly disclosed
21 and appropriately reflected in the costs claimed or charges made by the provider or
22 entity under Wisconsin Works.

****NOTE: This is specific to Wisconsin Works. Should it apply to "public assistance programs"?

1 2. An amount paid by an employer to an employee who has a bona fide
2 employment relationship with the employer for employment in the provision of
3 covered items or services.

4 (6) Any person who makes any statement in a written application for public
5 assistance shall be considered to have made an admission as to the existence,
6 correctness, or validity of any fact stated. Such a statement shall be considered to
7 be prima facie evidence against the person making it in any complaint, information,
8 or indictment, ^{or} ~~and~~ ^{or} in any action brought for enforcement of any provision of this
9 section or ch. 49.

NOTE: Creates the offense of public assistance fraud. This provision is intended to replace the offenses and penalties currently set forth in s. 49.95.

****NOTE: How are ss. 946.90, 946.91, and 946.92 intended to interact with s. 946.93? Section 946.93 seems to include medical assistance, Wisconsin Works, and the supplemental nutrition assistance program in the definition of "public assistance."

10 **SECTION 468.** 948.22 (1) (a), (b) and (c) and (4) (b) of the statutes are amended
11 to read:

12 948.22 (1) (a) "Child support" means an amount which a person is ordered to
13 provide for support of a child by a court of competent jurisdiction in this state or in
14 another state, territory or possession of the United States, or, if not ordered, an
15 amount that a person is legally obligated to provide under s. ~~49.90~~ 49.039.

16 (b) "Grandchild support" means an amount which a person is legally obligated
17 to provide under s. ~~49.90~~ 49.039 (1) (a) 2. and (11).

18 (c) "Spousal support" means an amount which a person is ordered to provide
19 for support of a spouse or former spouse by a court of competent jurisdiction in this
20 state or in another state, territory or possession of the United States, or, if not
21 ordered, an amount that a person is legally obligated to provide under s. ~~49.90~~
22 49.039.

1 (4) (b) For a person not subject to a court order requiring child, grandchild, or
2 spousal support payments, when the person knows or reasonably should have known
3 that he or she has a dependent, failure to provide support equal to at least the amount
4 established by rule by the department of children and families under s. ~~49.22~~ 49.811
5 (9) or causing a spouse, grandchild, or child to become a dependent person, or
6 continue to be a dependent person, as defined in s. ~~49.01~~ 49.801 (2).

7 SECTION 469. 948.45 (2) of the statutes is amended to read:

8 948.45 (2) Subsection (1) does not apply to a person who has under his or her
9 control a child who has been sanctioned under s. ~~49.26~~ 49.198 (1) (h).

10 SECTION 470. 973.055 (3) of the statutes is amended to read:

11 973.055 (3) All moneys collected from domestic abuse surcharges shall be
12 ~~deposited~~ ^{credited} by the secretary of administration ~~in~~ s. 20.437 (1) (hh) and utilized in
13 accordance with s. ~~49.165~~ 49.217. ^{to the appropriation account}
14 under

15 SECTION 471. 977.01 (2) of the statutes is amended to read:

16 977.01 (2) "Public assistance" means relief provided by counties under s. 59.53
17 (21), Wisconsin ~~works~~ Works under ss. 49.141 to 49.161, ~~medical assistance~~ Medical
18 Assistance under subch. IV of ch. 49, low-income energy assistance under s. 16.27,
19 weatherization assistance under s. 16.26, and the ~~food stamp~~ supplemental
nutrition assistance program under 7 USC 2011 to 2029 2036.

***NOTE: This section is added to update the food stamp language.

20 SECTION 472. 977.06 (4) (bm) of the statutes is amended to read:

21 977.06 (4) (bm) In response to a request for information under s. ~~49.22~~ 49.811
22 (2m) made by the department of children and families or a county child support
23 agency under s. 59.53 (5), the state public defender shall provide the name and
24 address of an individual, the name and address of the individual's employer, and

1 financial information related to the individual, if the name, address, or financial
2 information is included in any statement, affidavit, or other information provided by
3 the individual regarding financial eligibility under s. 977.07 and if, at the time the
4 request for information is made, the individual is represented by the state public
5 defender or by counsel assigned under s. 977.08.

6 **SECTION 473.** 978.05 (4m) of the statutes is amended to read:

7 978.05 (4m) WELFARE FRAUD INVESTIGATIONS. Cooperate with the departments
8 of children and families and health services regarding the fraud investigation
9 programs under ss. 49.019 (1) and 49.197 (1m) and 49.845 (1).

10 **SECTION 474.** 978.06 (6) of the statutes is amended to read:

11 978.06 (6) No district attorney, deputy district attorney, or assistant district
12 attorney may appear in a civil action or proceeding under s. ~~49.22~~ 49.811 (7), 59.53
13 (5), 767.205 (2), 767.501, or 767.80 or ch. 769.

14 **SECTION 475.** 995.67 (1) (a) of the statutes is amended to read:

15 995.67 (1) (a) "Domestic abuse" has the meaning given in s. ~~49.165~~ 49.217 (1)
16 (a).

17 **SECTION 476. Nonstatutory provisions.**

18 (1) The department of children and families shall submit in proposed form the
19 rules required under section 49.006 (3) of the statutes, as created by this act, to the
20 legislative council staff under section 227.15 (1) of the statutes no later than the first
21 day of the 3rd month beginning after the effective date of this subsection.

22 **SECTION 477. Initial applicability.**

23 (1) PUBLIC ASSISTANCE APPLICATIONS. The ~~treatment~~ ^{stet} of section 49.006 (1) of the
24 statutes first applies to statements made in an application for any aid or benefit

Handwritten annotations: "stet" with an arrow pointing to "treatment"; "statements made in an" circled; "any" circled; "aid or benefit" with an arrow pointing to "any"; "49.006 (1)" circled with a checkmark above it.

1 under chapter 49 of the statutes that ^{are} received by the department of health services
2 or the department of children and families ^{on} after the effective date of this subsection.

3 (2) INTENTIONAL PROGRAM VIOLATIONS. The treatment of section 49.151 (2) of the
4 statutes first applies to acts or omissions that occur ^{on} after the effective date of this
5 subsection. and the creation of section 49.151(2)(a) 1, 2, and 3. and (b) of the statutes first apply

6 (3) REVIEW OF WISCONSIN SHARES DECISIONS. The treatment of sections 49.152
7 (1) and 49.1525 of the statutes first applies to applications ^{that are} filed ^{on} after the effective
8 date of the subsection. and actions of the department of children and families that occur

****NOTE: Section 49.1525 requires the department to define reasonable promptness for acting on Wisconsin Shares applications. Would you prefer to have an initial application date based on the promulgation of that rule?

9 (4) PUBLIC ASSISTANCE FRAUD. The treatment of section 946.93 of the statutes
10 first applies to acts and omissions that occur ^{on} after the effective date of this
11 subsection.

12 **SECTION 478. Effective dates.** This act takes effect on February 1, 2012,
13 except as follows:

14 (1) The treatment of section 49.46 (1) (n) (by SECTION 211) of the statutes takes
15 effect on January 1, 2015.

16 (END)

D-note
↓

Numbering and omissions

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2257/insA
FFK:.....

INS. 54-1

****NOTE: It may be useful to ask LFB[✓] about the impact of adding this paragraph and the corresponding appropriation to s. 49.175[✓].

END INS. 54-1

INS. 60-5

Subsection
****NOTE: Please review the NOTE[✓], below. Under current law, as of October 1, 2011, the general rule is that a Wisconsin Works agency may not require a person who is in a community service job to participate in training activities for more than 10 hours per week. Sub (4) (at) is an exception to the general rule that allows the Wisconsin Works agency to require up to 40 hours of motivational training during the first two weeks of participation in the program. Similarly, under current law, a Wisconsin Works agency may not require a person who is in a transitional placement in Wisconsin Works to participate in education or training activities for ~~not~~ more than 12 hours per week. Sub (5) (bt) is an exception that allows the Wisconsin Works agency to require up to 40 hours of motivational training during the first two weeks of participation in the program. Subsection

END INS. 60-5

INS 66-2

S.
****NOTE: What is the remedy for a child care provider who is refused payment under 49.155 (7) or assessed a penalty under 49.155 (7m)?[✓] Additionally, it is not clear to me how sub. (3) would be applied to an applicant whose application is denied. Subsection (3) only provides a remedy in the event that a participant's child care subsidy was improperly modified, canceled, or refused or was calculated incorrectly.[✓] S.

END INS 66-2

INS. 90-11

* SECTION 1. 49.35 (title), (1) (a), (b), (c) and (2) of the statutes are renumbered
* 49.062 (title), (1) (a), (b), (c) and (2) and 49.062 (1) (a) and (b), as renumbered, are amended to read:

49.062 (1) (a) The department shall supervise the administration of programs under this subchapter ss. 49.811 to 49.823, subchs. II and III, and ch. 48. The department shall submit to the federal authorities state plans for the administration of programs under this subchapter ss. 49.811 to 49.823, subchs. II and III, and ch.

↓

48 in such form and containing such information as the federal authorities require, and shall comply with all requirements prescribed to ensure their correctness.

History: 1995 a. 27; 2005 a. 344; 2007 a. 20.

(b) All records of the department and all county records relating to programs under ~~this subchapter~~ ss. 49.811 to 49.823, subchs. II and III, and ch. 48 and aid under s. 49.18, 1971 stats., s. 49.20, 1971 stats., and s. 49.61, 1971 stats., as affected by chapter 90, laws of 1973, shall be open to inspection at all reasonable hours by authorized representatives of the federal government. Notwithstanding ss. 48.396 (2) and 938.396 (2), all county records relating to the administration of the services and public assistance specified in this paragraph shall be open to inspection at all reasonable hours by authorized representatives of the department.

History: 1995 a. 27; 2005 a. 344; 2007 a. 20.

END INS. 90-11

INS. 92-3

~~SECTION 2. 49.43 (intro.) of the statutes is amended to read~~

49.43 Definitions. (intro.) ~~As used in ss. 49.43 to 49.497~~ In this subchapter unless the context indicates otherwise:

History: 1977 c. 29 ss. 583m, 591; 1977 c. 418 s. 929 (18); 1979 c. 221; 1981 c. 20 s. 2202 (20) (m); 1981 c. 93; 1983 a. 189; 1987 a. 27; 1987 a. 403 s. 256; 1987 a. 413; 1991 a. 39; 1993 a. 27, 99, 112, 437; 1995 s. 27 ss. 2649, 2661, 2943 to 2946, 9126 (19); 1999 a. 9; 2001 a. 16; 2005 a. 264; 2007 a. 20 s. 9121 (6) (a); 2011 a. 32.

END INS. 92-3

INS. 131-11

****NOTE: Please note that I changed the cross-references to maintain the status quo. In other words, if a payment is exempt under current law it is exempt under the amended statute. If it was the intent of the committee to change the exemptions, please let me know.

END INS. 131-11

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2257/P1dn

FK:jld:rs

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~~September 20, 2011~~

3 new
date

To Anne Sappenfield and Anna Henning:

Please review s. 946.90 (3), which is renumbered from s. 49.141 (7) (a). It is unclear to me exactly what criminal act or actor is targeted by that subsection. Is it meant to penalize a client who performs work for Wisconsin Works, regardless of whether the client is paid, or a provider for Wisconsin Works who somehow defrauds the program? If it is the latter, it is unclear to me how the provider's actions are a violation of sub. (2). If it is the former, it is unclear to me why the provision of a service, rather than the receipt of payment, is the triggering event for criminal penalty.

Also, the draft contains a number of embedded questions and comments. I look forward to working with you on finalizing this draft.

Fern Knepp
Legislative Attorney
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2257/P1dn
FFK:jld:jf

September 29, 2011

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