

1 **SECTION 223.** 49.475 (6) of the statutes is amended to read:

2 49.475 (6) SHARING INFORMATION. The department of health services shall
3 provide to the department of children and families, for purposes of the medical
4 support liability program under s. ~~49.22~~ 49.811, any information that the
5 department of health services receives under this section. The department of
6 children and families may allow a county child support agency under s. 59.53 (5) or
7 a tribal child support agency access to the information, subject to the use and
8 disclosure restrictions under s. ~~49.83~~ 49.013, and shall consult with the department
9 of health services regarding procedures and methods to adequately safeguard the
10 confidentiality of the information provided under this subsection.

11 **SECTION 224.** 49.49 (1) (title) and (a) (intro.) of the statutes are repealed.

12 **SECTION 225.** 49.49 (1) (a) 1. to 4. of the statutes are renumbered 946.91 (2) (a)
13 to (d) and amended to read:

14 946.91 (2) (a) ~~Knowingly and willfully make~~ Intentionally makes or ~~cause~~
15 causes to be made any false statement or representation of a material fact in any
16 application for any Medical Assistance benefit or payment.

17 (b) ~~Knowingly and willfully make~~ Intentionally makes or ~~cause~~ causes to be
18 made any false statement or representation of a material fact for use in determining
19 ~~rights to such~~ eligibility for any Medical Assistance benefit or payment.

20 (c) Having knowledge of the occurrence of any event affecting the initial or
21 continued ~~right to eligibility for any such~~ Medical Assistance benefit or payment or
22 the initial or continued ~~right to eligibility for any such~~ benefit or payment of any
23 other individual in whose behalf he or she has applied for or is receiving such benefit
24 or payment, ~~conceal~~ conceals or ~~fail~~ fails to disclose such event with an intent to to

1 fraudulently to secure such benefit or payment either in a greater amount or
2 quantity than is due or when no such benefit or payment is authorized.

3 (d) Having ~~made application applied~~ to receive any ~~such~~ Medical Assistance
4 benefit or payment for the use and benefit of another and having received it,
5 knowingly and willfully ~~convert such~~ converts the benefit or payment or any part
6 thereof to a use ~~other than for the use and that is not for the~~ benefit of such other
7 person.

8 SECTION 226. 49.49 (1) (b) of the statutes is repealed.

9 SECTION 227. 49.49 (1) (c) of the statutes is renumbered 49.49 (1d) and
10 amended to read:

11 49.49 (1d) DAMAGES. If any person is convicted under ~~this subsection~~ s. 946.91
12 (2), the state shall have a cause of action for relief against such person in an amount
13 3 times the amount of actual damages sustained as a result of any excess payments
14 made in connection with the offense for which the conviction was obtained. Proof by
15 the state of a conviction under ~~this section~~ s. 946.91 (2) in a civil action shall be
16 conclusive regarding the state's right to damages and the only issue in controversy
17 shall be the amount, if any, of the actual damages sustained. Actual damages shall
18 consist of the total amount of excess payments, any part of which is paid by state
19 funds. In any such civil action the state may elect to file a motion in expedition of
20 the action. Upon receipt of the motion, the presiding judge shall expedite the action.

21 SECTION 228. 49.49 (2) (title) and (2) (a) (title) of the statutes are repealed.

22 SECTION 229. 49.49 (2) (a) of the statutes is renumbered 946.91 (3) (a) and
23 amended to read:

24 946.91 (3) (a) ~~Any person who~~ Whoever solicits or receives any remuneration,
25 ~~including any kickback, bribe, or rebate, directly or, indirectly, overtly, or covertly, in~~

1 ~~cash or in kind, money, goods, services, or any other thing of value~~ in return for
2 referring an individual to a person for the furnishing or arranging for the furnishing
3 of any item or service for which payment may be made in whole or in part under a
4 ~~medical assistance~~ Medical Assistance program, 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 payment may be made in whole or in part
7 under a ~~medical assistance~~ Medical Assistance program, is guilty of a Class H felony,
8 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
9 person may be fined not more than \$25,000.

10 SECTION 230. 49.49 (2) (b) (title) of the statutes is repealed.

11 SECTION 231. 49.49 (2) (b) of the statutes is renumbered 946.91 (3) (b) and
12 amended to read:

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

24 SECTION 232. 49.49 (2) (c) (title) of the statutes is repealed.

1 **SECTION 233.** 49.49 (2) (c) of the statutes is renumbered 946.91 (3) (c) and
2 amended to read:

3 **946.91 (3) (c)** This subsection ~~shall~~ does not apply to any of the following:

4 1. A discount or other reduction in price obtained by a provider of services or
5 other entity under chs. 46 to 51 and 58 if the reduction in price is properly disclosed
6 and appropriately reflected in the costs claimed or charges made by the provider or
7 entity under a ~~medical assistance~~ Medical Assistance program.

8 2. ~~Any~~ An amount paid by an employer to an employee who has a bona fide
9 employment relationship with such employer for employment in the provision of
10 covered items or services.

11 **SECTION 234.** 49.49 (3) (title) of the statutes is repealed.

12 **SECTION 235.** 49.49 (3) of the statutes is renumbered 946.91 (4) and amended
13 to read:

14 **946.91 (4)** ~~No person may~~ Whoever knowingly and willfully ~~make~~ makes or
15 ~~cause~~ causes to be made, or ~~induce~~ induces or ~~seek~~ seeks to induce the making of, any
16 false statement or representation of a material fact with respect to the conditions or
17 operation of any institution or facility in order that such institution or facility may
18 qualify either upon initial certification or upon recertification as a hospital, skilled
19 nursing facility, intermediate care facility, or home health agency. ~~A person who~~
20 ~~violates this subsection~~ is guilty of a Class H felony, except that, notwithstanding the
21 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
22 \$25,000.

23 **SECTION 236.** 49.49 (3m) (title) of the statutes is repealed.

24 **SECTION 237.** 49.49 (3m) (a) of the statutes is renumbered 946.91 (5), and
25 946.91 (5) (intro.), (a) and (b), as renumbered, are amended to read:

1 946.91 (5) (intro.) ~~No provider may~~ Whoever knowingly ~~impose~~ imposes upon
2 a Medical Assistance recipient charges in addition to payments received for services
3 under ss. 49.45 to 49.471 or knowingly ~~impose~~ imposes direct charges upon a
4 recipient in lieu of obtaining payment under ss. 49.45 to 49.471 ~~except under the~~
5 ~~following conditions~~ is guilty of a Class H felony, except that, notwithstanding the
6 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
7 \$25,000. This subsection does not apply to the following circumstances:

8 (a) Benefits or services are not provided under s. 49.46 (2) or 49.471 (11) and
9 the Medical Assistance recipient is advised of this fact prior to receiving the service.

10 (b) ~~If an~~ An applicant is determined to be eligible retroactively under s. 49.46
11 ~~(1) (1g) (b), 49.47 (4) (d), or 49.471 and,~~ a provider bills the applicant directly for
12 services and benefits rendered during the retroactive period, ~~the provider shall the~~
13 provider, upon notification of the applicant's retroactive eligibility, ~~submit claims~~
14 submits a claim for payment under s. 49.45 for covered services or benefits rendered
15 to the recipient during the retroactive period. ~~Upon receipt of payment under s.~~
16 ~~49.45, the provider shall reimburse, and the provider reimburses~~ the recipient or
17 other person who has made prior payment to the provider for services provided to the
18 recipient during the retroactive eligibility period, by the amount of the prior payment
19 made upon receipt of payment under 49.45.

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.

20 **SECTION 238.** 49.49 (3m) (b) of the statutes is repealed.

21 **SECTION 239.** 49.49 (3p) (title) of the statutes is amended to read:

22 49.49 (3p) (title) ~~OTHER~~ PROHIBITED PROVIDER CHARGES.

23 **SECTION 240.** 49.49 (4) (title) of the statutes is repealed.

1 **SECTION 241.** 49.49 (4) (a) and (b) of the statutes are consolidated, renumbered
2 946.91 (6) and amended to read:

3 946.91 (6) ~~No person~~ Whoever, in connection with the ~~medical assistance~~
4 Medical Assistance program when the cost of the services provided to the patient is
5 paid for in whole or in part by the state, ~~may knowingly and willfully charge, solicit,~~
6 ~~accept or receive~~ intentionally charges, solicits, accepts, or receives, in addition to
7 any amount otherwise required to be paid under a ~~medical assistance~~ Medical
8 Assistance program, any gift, money, donation, or other consideration, other than a
9 charitable, religious, or philanthropic contribution from an organization or from a
10 person unrelated to the patient, as a precondition of admitting a patient to a hospital,
11 skilled nursing facility, or intermediate care facility, or as a requirement for the
12 patient's continued stay in such a facility. ~~(b) A person who violates this subsection~~
13 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified
14 in s. 939.50 (3) (h), the person may be fined not more than \$25,000.

NOTE: SECTIONS 229, 231, 235, 237, and 241 move criminal penalties relating to
medical assistance to s. 946.91. Also, see SECTION 463.

15 **SECTION 242.** 49.49 (7) (d) of the statutes is amended to read:

16 49.49 (7) (d) A commission's imposition of an assessment described under par.
17 (b), a member's payment of the assessment as described under par. (c), and
18 acceptance of the payment by the commission do not constitute conduct prohibited
19 under ~~sub. (4)~~ 946.91 (6) or prohibited under s. DHS 106.04 (3), Wis. Adm. Code, in
20 effect on May 26, 2010. It is the intent of the legislature to create a mechanism
21 whereby 2 or more political subdivisions may share in the operation, use, and
22 funding of a nursing home or intermediate care facility without violating 42 USC
23 1320a-7b (d) or 42 USC 1396a (a) (25) (C).

1 SECTION 243. 49.493 (1) (b) of the statutes is amended to read:

2 49.493 (1) (b) "Medical benefits or assistance" means medical benefits under
3 s. ~~49.02~~ 49.803 or 253.05 or medical assistance.

4 SECTION 244. 49.496 (4) (a) of the statutes is amended to read:

5 49.496 (4) (a) The department may require a county department under s.
6 46.215, 46.22, or 46.23 or ~~the a tribal~~ governing body of a ~~federally recognized~~
7 ~~American Indian tribe~~ administering ~~medical assistance~~ Medical Assistance to
8 gather and provide the department with information needed to recover medical
9 assistance under this section. Except as provided in par. (b), the department shall
10 pay to a county department or tribal governing body an amount equal to 5% of the
11 recovery collected by the department relating to a beneficiary for whom the county
12 department or tribal governing body made the last determination of ~~medical~~
13 ~~assistance~~ Medical Assistance eligibility. A county department or tribal governing
14 body may use funds received under this paragraph only to pay costs incurred under
15 this paragraph and, if any amount remains, to pay for improvements to functions
16 required under s. ~~49.78~~ 49.003 (2). The department may withhold payments under
17 this paragraph for failure to comply with the department's requirements under this
18 paragraph. The department shall treat payments made under this paragraph as
19 costs of administration of the Medical Assistance program.

20 SECTION 245. Subchapter V (title) of chapter 49 [precedes 49.66] of the statutes
21 is amended to read:

22 CHAPTER 49

23 SUBCHAPTER V

24 HEALTH; OTHER SUPPORT AND MEDICAL

25 BLOCK GRANTS

1 **SECTION 246.** 49.685 (7) (a) 2. and 5. of the statutes are amended to read:

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

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

7 **SECTION 247.** 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).

8 **SECTION 248.** 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).

9 **SECTION 249.** 49.688 (9) (a) of the statutes is amended to read:

10 49.688 (9) (a) The department shall promulgate rules relating to prohibitions
11 on fraud that are substantially similar to applicable provisions under s. ~~49.49 (1) (a)~~
12 946.91 (2).

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

13 **SECTION 250.** 49.77 (1) of the statutes is renumbered 49.77 (1) (intro.) and
14 amended to read:

15 49.77 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section "~~secretary~~";
16 (m) Notwithstanding s. 49.66 (2), "secretary" means the secretary of the U.S.
17 department of health and human services or the secretary of any other federal
18 agency subsequently charged with the administration of federal Title XVI.

19 **SECTION 251.** 49.77 (1) (b) of the statutes is created to read:

20 49.77 (1) (b) "Essential person" has the meaning given in s. 49.46 (1c).

21 **SECTION 252.** 49.78 (title) of the statutes is renumbered 49.003 (title).

1 **SECTION 253.** 49.78 (1) (intro.) and (b) of the statutes are renumbered 49.003
2 (1) (intro.) and (b).

3 **SECTION 254.** 49.78 (1) (br), (1m), (1r), (2) (b), (2m) and (2r) of the statutes, as
4 created by 2011 Wisconsin Act 32, are renumbered 49.003 (1) (br), (1m), (1r), (2) (b),
5 (2m) and (2r).

6 **SECTION 255.** 49.78 (1) (cr) of the statutes is repealed.

NOTE: Repeals a definition for the term "tribal governing body", which is created
in SECTION 70 of the bill.

7 **SECTION 256.** 49.78 (2) (title) and (a), (10) and (11) of the statutes, as affected
8 by 2011 Wisconsin Act 32, are renumbered 49.003 (2) (title) and (a), (10) and (11).

9 **SECTION 257.** 49.78 (4) to (7) of the statutes are renumbered 49.003 (4) to (7).

10 **SECTION 258.** 49.78 (8) (title) and (b) of the statutes, as affected by 2011
11 Wisconsin Act 32, are renumbered 49.003 (8) (title) and (b).

12 **SECTION 259.** 49.78 (8) (a) of the statutes, as affected by 2011 Wisconsin Act 32,
13 is renumbered 49.003 (8) (a) and amended to read:

14 49.003 (8) (a) From the appropriations under s. 20.435 (4) (bn) and (nn) and
15 subject to par. (b), the department shall provide funding to reimburse each
16 multicounty consortium that contracts with the department under sub. (2) and each
17 tribal governing body that contracts with the department under sub. (2m) for the
18 costs of administering the income maintenance programs, including conducting
19 fraud prevention activities, in accordance with the terms of the applicable contract.
20 The amount of reimbursement calculated under this paragraph and par. (b) is in
21 addition to any reimbursement provided to a county, multicounty consortium, or
22 tribal governing body for fraud and error reduction under s. ~~49.019 or 49.197 or~~
23 ~~49.845.~~

1 **SECTION 260.** 49.785 (1) (intro.) of the statutes is amended to read:

2 49.785 (1) (intro.) Except as provided in sub. (1m) and subject to s. ~~49.825~~
3 49.009, if any recipient specified in sub. (1c) dies and the estate of the deceased
4 recipient is insufficient to pay the funeral, burial, and cemetery expenses of the
5 deceased recipient, the department or county or applicable tribal governing body or
6 organization responsible for burial of the recipient shall pay, to the person
7 designated by the department or county department under s. 46.215, 46.22, or 46.23
8 or applicable tribal governing body or organization responsible for the burial of the
9 recipient, all of the following:

10 **SECTION 261.** 49.79 (title) of the statutes is amended to read:

11 **49.79 (title) ~~Food stamp~~ Supplemental nutrition assistance program**
12 **administration.**

13 **SECTION 262.** 49.79 (1) (intro.) of the statutes is amended to read:

14 49.79 (1) DEFINITIONS. (intro.) In this section and ss. 49.793, 49.796, and
15 49.797:

16 **SECTION 263.** 49.79 (1) (c) of the statutes is renumbered 49.79 (1) (fg) and
17 amended to read:

18 49.79 (1) (fg) "~~Food stamp~~ Supplemental nutrition assistance program" means
19 the federal ~~food stamp~~ supplemental nutrition assistance program under 7 USC
20 2011 to 2036.

21 **SECTION 264.** 49.79 (1) (e) of the statutes, as created by 2011 Wisconsin Act 32,
22 is amended to read:

23 49.79 (1) (e) "Multicounty consortium" has the meaning given in s. ~~49.78~~ 49.003
24 (1) (br).

1 **SECTION 265.** 49.79 (2), (5) (a), (6), (7), (8m) (a) and (b) and (9) (a) 2., 3. and 4.
2 of the statutes are amended to read:

3 **49.79 (2) DENIAL OF ELIGIBILITY.** An individual who fails to comply with the work
4 requirements of the employment and training program under sub. (9) is ineligible to
5 participate in the ~~food stamp~~ supplemental nutrition assistance program as
6 specified under sub. (9) (b).

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

23 **(6) INELIGIBILITY FOR FUGITIVE FELONS.** No person is eligible for the ~~food stamp~~
24 supplemental nutrition assistance program in a month in which that person is a

1 fugitive felon under 7 USC 2015 (k) (1) or is violating a condition of probation,
2 extended supervision, or parole imposed by a state or federal court.

3 (7) ~~SIMPLIFIED FOOD STAMP~~ SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. The
4 department shall develop a simplified ~~food stamp~~ supplemental nutrition assistance
5 program that meets all of the requirements under ~~P.L. 104-193, section 854~~ 42 USC
6 2035, and shall submit the plan to the secretary of the federal department of
7 agriculture for approval. If the secretary of the federal department of agriculture
8 approves the plan, the department shall submit the plan to the secretary of
9 administration for approval. If the secretary of administration approves the plan,
10 the department may implement the plan.

11 (8m) (a) The department shall allow a prisoner who is applying for the ~~food~~
12 ~~stamp~~ supplemental nutrition assistance program from a correctional institution in
13 anticipation of being released from the institution to use the address of the
14 correctional institution as his or her address on the application.

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

20 (9) (a) 2. The department may not require an individual who is a recipient
21 under the ~~food stamp~~ supplemental nutrition assistance program and who is the
22 caretaker of a child under the age of 12 weeks to participate in any employment and
23 training program under this subsection.

24 3. The department may not require an individual who is a recipient under the
25 ~~food stamp~~ supplemental nutrition assistance program to participate in any

1 employment and training program under this subsection if that individual is
2 enrolled at least half time in a school, as defined in s. ~~49.26~~ 49.198 (1) (a) 2., a training
3 program, or an institution of higher education.

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

8 SECTION 266. 49.79 (3) (title) of the statutes is amended to read:

9 49.79 (3) (title) LIABILITY FOR ~~LOST FOOD COUPONS~~ MISAPPROPRIATED BENEFITS.

10 SECTION 267. 49.79 (3) (a) and (c), (4), (8) and (9) (a) 1. of the statutes, as affected
11 by 2011 Wisconsin Act 32, are amended to read:

12 49.79 (3) (a) A county, multicounty consortium, or ~~federally recognized~~
13 ~~American Indian tribe~~ tribal governing body is liable for all ~~food stamp coupons lost,~~
14 supplemental nutrition assistance program benefits misappropriated, or destroyed
15 while under the county's, consortium's, or tribe's direct control, ~~except as provided~~
16 ~~in par. (b).~~

17 (c) A county, multicounty consortium, or ~~federally recognized American Indian~~
18 ~~tribe~~ tribal governing body is liable for ~~food stamp coupons mailed~~ supplemental
19 nutrition assistance program benefits incorrectly transferred to residents of the
20 county or counties that are in the multicounty consortium or members of the tribe
21 ~~and lost in the mail~~ due to incorrect information submitted to the department by the
22 county or tribe.

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

1 **(4) DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS.** The department
2 shall withhold the value of ~~food stamp~~ supplemental nutrition assistance program
3 benefits losses for which a county, multicounty consortium, or ~~federally recognized~~
4 ~~American Indian tribe~~ tribal governing body is liable under sub. (3) from the
5 payment to the county, multicounty consortium, or tribe under income maintenance
6 contracts under s. ~~49.78~~ 49.003 and reimburse the federal government from the
7 funds withheld.

8 **(8) BENEFITS FOR QUALIFIED ALIENS.** The department shall not provide benefits
9 under this section to a qualified alien, except to the extent that federal ~~food stamp~~
10 supplemental nutrition assistance program benefits for qualified aliens are required
11 by the federal government.

12 **(9) (a) 1.** The department shall administer an employment and training
13 program for recipients under the ~~food stamp~~ supplemental nutrition assistance
14 program and may contract with county departments under ss. 46.215, 46.22, and
15 46.23, multicounty consortia, and with tribal governing bodies to carry out the
16 administrative functions. The department may contract, or a county department,
17 multicounty consortium, or tribal governing body may subcontract, with a Wisconsin
18 Works agency or another provider to administer the employment and training
19 program under this subsection. Except as provided in subds. 2. and 3., the
20 department may require able individuals who are 18 to 60 years of age who are not
21 participants in a Wisconsin Works employment position to participate in the
22 employment and training program under this subsection.

23 **SECTION 268.** 49.79 (3) (b) of the statutes, as affected by 2011 Wisconsin Act 32,
24 is repealed.

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

1 **SECTION 269.** 49.793 (title) of the statutes is amended to read:

2 **49.793 (title) Recovery of food stamps supplemental nutrition**
3 **assistance overpayments.**

4 **SECTION 270.** 49.793 (1) and (2) (a) of the statutes, as affected by 2011
5 Wisconsin Act 32, are amended to read:

6 49.793 (1) The department or a county, a multicounty consortium, as defined
7 ~~in s. 49.78 (1) (br), or an elected tribal~~ governing body of a federally recognized
8 ~~American Indian tribe or band~~ acting on behalf of the department, may recover
9 overpayments that arise from an overissuance of ~~food coupons~~ benefits under the
10 ~~food stamp~~ supplemental nutrition assistance program administered under s.
11 46.215 (1) (k) or 46.22 (1) (b) 2. d. Recovery shall the be made in accordance with 7
12 USC 2022.

13 (2) (a) Except as provided in par. (b), a county, a multicounty consortium, as
14 ~~defined in s. 49.78 (1) (br), or a tribal~~ governing body of a federally recognized
15 ~~American Indian tribe~~ may retain a portion of the amount of an overpayment the
16 state is authorized to retain under 7 USC 2025 that is recovered under sub. (1) due
17 to the efforts of an employee or officer of the county, multicounty consortium, or tribe.
18 The department shall promulgate a rule establishing the portion of the amount of the
19 overpayment that the county, multicounty consortium, or governing body may
20 retain. This paragraph does not apply to recovery of an overpayment that was made
21 as a result of state, county, multicounty consortium, or tribal governing body error.

22 **SECTION 271.** 49.795 (title) and (1) (intro.) of the statutes are renumbered
23 946.92 (title) and (1) (intro.).

1 **SECTION 272.** 49.795 (1) (a), (b), (d) and (e) (intro.), 3., 4. and 5. of the statutes
2 are renumbered 946.92 (1) (d), (dm), (fm) and (fr) (intro.) 3., 4. and 5., and 946.92 (1)
3 (d), (dm), (fm) and (fr) 5., as renumbered, are amended to read:

4 946.92 (1) (d) "Eligible person" means a member of a household certified as
5 eligible for the ~~food stamp~~ supplemental nutrition assistance program or a person
6 authorized to represent a certified household under 7 USC 2020 (e) (7).

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

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

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

14 (fr) 5. A person authorized to redeem ~~food coupons~~ supplemental nutrition
15 assistance 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.

****Note: Would you like me to remove this note or would you prefer to revise it to
state that the provisions are moved to the criminal code?

16 **SECTION 273.** 49.795 (1) (c) of the statutes is repealed.

NOTE: Repeals a definition for "food stamp program".

17 **SECTION 274.** 49.795 (1) (cm) of the statutes, as created by 2011 Wisconsin Act
18 32, is repealed.

19 **SECTION 275.** 49.795 (1) (e) 1. and 2. of the statutes, as affected by 2011
20 Wisconsin Act 32, are renumbered 946.92 (1) (fr) 1. and 2. and amended to read:

1 946.92 (1) (fr) 1. An employee or officer of the federal government, the state,
2 a county, a multicounty consortium, or a federally recognized American Indian tribe
3 acting in the course of official duties in connection with the ~~food stamp~~ supplemental
4 nutrition assistance program.

5 2. A person acting in the course of duties under a contract with the federal
6 government, the state, a county, a multicounty consortium, or a federally recognized
7 American Indian tribe in connection with the ~~food stamp~~ supplemental nutrition
8 assistance program.

9 **SECTION 276.** 49.795 (2) to (6) of the statutes are renumbered 946.92 (2) (a) to
10 (f), and 946.92 (2) (a), (c), (d), (e) and (f), as renumbered, are amended to read:

11 946.92 (2) (a) No person may misstate or conceal facts in a ~~food stamp~~
12 supplemental nutrition assistance program application or report of income, assets,
13 or household circumstances with intent to secure or continue to receive ~~food stamp~~
14 supplemental nutrition assistance program benefits.

15 (c) No person may knowingly issue ~~food coupons~~ supplemental nutrition
16 assistance program benefits to a person who is not an eligible person or knowingly
17 issue ~~food coupons~~ supplemental nutrition assistance program benefits to an eligible
18 person in excess of the amount for which the person's household is eligible.

19 (d) No eligible person may knowingly transfer ~~food coupons~~ supplemental
20 nutrition assistance program benefits except to purchase food from a supplier or
21 knowingly obtain or use ~~food coupons~~ supplemental nutrition assistance program
22 benefits for which the person's household is not eligible.

23 (e) No supplier may knowingly obtain ~~food coupons~~ supplemental nutrition
24 assistance program benefits except as payment for food or knowingly obtain ~~food~~

1 ~~coupons supplemental nutrition assistance program benefits~~ from a person who is
2 not an eligible person.

3 (f) No unauthorized person may knowingly obtain, possess, transfer, or use ~~food~~
4 ~~coupons supplemental nutrition assistance program benefits~~.

5 SECTION 277. 49.795 (7) of the statutes is repealed.

6 SECTION 278. 49.795 (8) (a) (intro.) of the statutes is repealed.

7 SECTION 279. 49.795 (8) (a) 1. of the statutes is renumbered 946.92 (3) (a) 1. and
8 amended to read:

9 946.92 (3) (a) 1. If the value of the ~~food-coupons~~ supplemental nutrition
10 assistance program benefits does not exceed \$100, ~~a~~ the person who violates this
11 section may be fined not more than \$1,000 or imprisoned not more than one year in
12 the county jail or both.

13 SECTION 280. 49.795 (8) (a) 2. of the statutes is renumbered 946.92 (3) (a) 2. and
14 amended to read:

15 946.92 (3) (a) 2. If the value of the ~~food-coupons~~ supplemental nutrition
16 assistance benefits exceeds \$100, but is less than \$5,000, ~~a~~ the person who violates
17 this section is guilty of a Class I felony.

18 SECTION 281. 49.795 (8) (b) of the statutes is renumbered 946.92 (3) (b) and
19 amended to read:

20 946.92 (3) (b) For a 2nd or subsequent offense under ~~this section~~ sub. (2), any
21 of the following applies:

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

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

4 **SECTION 282.** 49.795 (8) (c) of the statutes is renumbered 946.92 (3) (c) and
5 amended to read:

6 946.92 (3) (c) For any ~~offense under this section~~ violation of sub.(2), if the value
7 of the ~~food coupons~~ supplemental nutrition assistance benefits is \$5,000 or more, a
8 person who violates this section is guilty of a Class G felony.

9 **SECTION 283.** 49.795 (8) (d) 1. of the statutes is renumbered 946.92 (3) (d) 1.,
10 and 946.92 (3) (d) 1. (intro.), a. and b., as renumbered, are amended to read:

11 946.92 (3) (d) 1. (intro.) In addition to the penalties applicable under par. (a),
12 (b), or (c), the court shall suspend a person who violates ~~this section~~ sub. (2) from
13 participation in the ~~food stamp~~ supplemental nutrition assistance program as
14 follows:

15 a. For a first offense under this section, not less than one year. ~~The court may~~
16 ~~extend the suspension by~~ and not more than 18 months 2.5 years.

17 b. For a 2nd offense under this section, not less than 2 years. ~~The court may~~
18 ~~extend the suspension by~~ and not more than 18 months 3.5 years.

19 **SECTION 284.** 49.795 (8) (d) 1m. of the statutes is renumbered 946.92 (3) (d) 1m.
20 and amended to read:

21 946.92 (3) (d) 1m. In addition to the penalties applicable under par. (a), (b), or
22 (c), a court shall permanently suspend from the ~~food stamp~~ supplemental nutrition
23 assistance program a person who has been convicted of an offense under 7 USC 2024
24 (b) or (c) involving an item covered by 7 USC 2024 (b) or (c) having a value of \$500
25 or more.

1 SECTION 285. 49.795 (8) (d) 2. of the statutes, as affected by 2011 Wisconsin Act
2 32, is renumbered 49.796 (2) and amended to read:

3 49.796 (2) ~~The A~~ person may apply to the multicounty consortium or the
4 ~~federally recognized American Indian~~ tribal governing body or, if the person is a
5 supplier, to the federal department of agriculture for reinstatement of benefits
6 following ~~the a~~ period of suspension imposed under s. 946.92, if the suspension is not
7 permanent.

8 SECTION 286. 49.795 (8) (e) and (f) of the statutes are renumbered 946.92 (3)
9 (e) and (f), and 946.92 (3) (e) 1. (intro.) and 2. and (f), as renumbered, are amended
10 to read:

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

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

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

NOTE: SECTIONS 272, 276, 279 to 284, and 286, move criminal penalties relating to food share to s. 946.92. Also, see SECTION 464.

1 **SECTION 287.** 49.796 (title) of the statutes is created to read:

2 **49.796 (title) Supplemental nutrition assistance reinstatement.**

3 **SECTION 288.** 49.796 (1) of the statutes is created to read:

4 **49.796 (1)** In this section:

5 (a) "Food" means an item that may be purchased using supplemental nutrition
6 assistance program benefits under 7 USC 2012 (g) and 2016 (b).

7 (b) "Supplier" means a retail grocery store or other person authorized by the
8 federal department of agriculture to accept supplemental nutrition assistance
9 program benefits in exchange for food under the supplemental nutrition assistance
10 program.

11 **SECTION 289.** 49.797 (1) of the statutes is repealed.

12 **SECTION 290.** 49.797 (2) (title) of the statutes is amended to read:

13 **49.797 (2) (title) DELIVERY OF FOOD STAMPS SUPPLEMENTAL NUTRITION ASSISTANCE**
14 **PROGRAM BENEFITS.**

15 **SECTION 291.** 49.797 (2) (a) of the statutes is renumbered 49.797 (2) and
16 amended to read:

17 **49.797 (2) ~~Notwithstanding s. 46.028 and except as provided in par. (b) and sub.~~**
18 **(8), the The department shall administer a statewide program to deliver ~~food stamp~~**
19 **supplemental nutrition assistance program benefits to recipients of ~~food stamp~~**
20 **benefits by an electronic benefit transfer system. All suppliers, as defined in s.**
21 **~~49.795~~ 49.796 (1) ~~(d)~~ (b), may participate in the delivery of ~~food stamp~~ supplemental**
22 **nutrition assistance program benefits under the electronic benefit transfer system.**

23 The department shall explore methods by which nontraditional retailers, such as

1 farmers' markets, may participate in the delivery of ~~food-stamp~~ supplemental
2 nutrition assistance program benefits under the electronic benefit transfer system.

3 **SECTION 292.** 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.

4 **SECTION 293.** 49.797 (8) of the statutes, as affected by 2011 Wisconsin Act 32,
5 is repealed.

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

6 **SECTION 294.** 49.81 of the statutes is renumbered 49.005.

7 **SECTION 295.** Subchapter VI (title) of chapter 49 [precedes 49.8105] of the
8 statutes is repealed and recreated to read:

9 **CHAPTER 49**

10 **SUBCHAPTER VI**

11 **CHILDREN AND FAMILIES; CHILD**

12 **SUPPORT**

13 **SECTION 296.** 49.8105 of the statutes is created to read:

14 **49.8105 Definitions.** In this subchapter:

15 (1) "Department" means the department of children and families.

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

17 **SECTION 297.** 49.82 of the statutes is renumbered 49.007.

18 **SECTION 298.** 49.825 (title), (1), (2) (title) and (a) to (c), (3) (title), (b) and (c) and
19 (4) (a) to (d) of the statutes are renumbered 49.009 (title), (1), (2) (title) and (a) to (c),
20 (3) (title), (b) and (c) and (4) (a) to (d), and 49.009 (1) (c), as renumbered, is amended
21 to read:

1 49.009 (1) (c) "Income maintenance program" has the meaning given in s. ~~49.78~~
2 ~~49.003~~ (1) (b).

3 SECTION 299. 49.825 (2) (d), (3) (a) and (4) (intro.) of the statutes, as affected
4 by 2011 Wisconsin Act 32, are renumbered 49.009 (2) (d), (3) (a) and (4) (intro.).

5 SECTION 300. 49.825 (4) (e) and (5) of the statutes, as created by 2011 Wisconsin
6 Act 32, are renumbered 49.009 (4) (e) and (5).

7 SECTION 301. 49.826 of the statutes, as affected by 2011 Wisconsin Act 10, is
8 renumbered 49.011.

9 SECTION 302. 49.83 of the statutes is renumbered 49.013 and amended to read:

10 **49.013 Limitation on giving information.** Except as provided under ss.
11 ~~49.25 and 49.32~~ 49.06 (9), (10), and (10m) and 49.823, no person may use or disclose
12 information concerning applicants and recipients of relief funded by a relief block
13 grant, aid to families with dependent children, Wisconsin Works under ss. 49.141 to
14 49.161, social services, child and spousal support and establishment of paternity and
15 medical support liability services under s. ~~49.22~~ 49.811, or supplemental payments
16 under s. 49.77 for any purpose not connected with the administration of the
17 programs, except that the department of children and families may disclose such
18 information to the department of revenue for the sole purpose of administering state
19 taxes. Any person violating this section may be fined not less than \$25 nor more than
20 \$500 or imprisoned in the county jail not less than 10 days nor more than one year
21 or both.

22 SECTION 303. 49.84 (1), (2), (3), (4), (5) and (6) (b) to (d) of the statutes are
23 renumbered 49.017 (1g), (2), (3), (4), (5) and (6) (b) to (d), and 49.017 (2), (3), (5) and
24 (6) (c) 1. d., as renumbered, are amended to read:

1 49.017 (2) At the time of application, the agency administering the public
2 assistance program shall apply to the department of ~~health services~~ for a certified
3 copy of a birth certificate for the applicant if the applicant is required to provide a
4 birth certificate or social security number as part of the application and for any
5 person in the applicant's household who is required to provide a birth certificate or
6 social security number. The department of ~~health services~~ shall provide without
7 charge any copy for which application is made under this subsection.

8 (3) Notwithstanding subs. ~~(1)~~ (1g) and (2), personal identification
9 documentation requirements may be waived for 10 days for an applicant for relief
10 funded by a relief block grant, if the applicant agrees to cooperate with the relief
11 agency by providing information necessary to obtain proper identification.

12 (5) A person applying for Wisconsin ~~works~~ Works under ss. 49.141 to 49.161,
13 aid to families with dependent children under s. 49.19, ~~medical assistance~~ Medical
14 Assistance under subch. IV, or ~~food stamp~~ supplemental nutrition assistance
15 program benefits under 7 USC 2011 to 2029 2036 shall, as a condition of eligibility,
16 provide a declaration and other verification of citizenship or satisfactory
17 immigration status as required by the department that administers the program the
18 person is applying for, by rule, or as required in 42 USC 1320b-7 (d).

19 (6) (c) 1. d. A child who is receiving medical assistance under s. 49.46 ~~(1)~~ (1g)
20 (a) 13., 49.47 (4) (am) 3., or 49.471 (4) (a) 2. or (b) 2. or an unborn child receiving
21 prenatal care under s. 49.471.

22 **SECTION 304.** 49.84 (6) (a) of the statutes is repealed.

23 **SECTION 305.** 49.845 of the statutes is renumbered 49.019, and 49.019 (1) and
24 (2), as renumbered, are amended to read:

1 49.019 (1) FRAUD INVESTIGATION. From the appropriations under s. 20.435 (4)
2 (bn), (kz), (L), and (nn), the department of health services shall establish a program
3 to investigate suspected fraudulent activity on the part of recipients of medical
4 assistance under subch. IV, ~~food stamp~~ benefits under the ~~food stamp~~ supplemental
5 nutrition assistance program under 7 USC 2011 to 2036, supplemental security
6 income payments under s. 49.77, payments for the support of children of
7 supplemental security income recipients under s. 49.775, and health care benefits
8 under the Badger Care health care program under s. 49.665 and, if the department
9 of children and families contracts with the department of health services under sub.
10 (4), on the part of recipients of aid to families with dependent children under s. 49.19
11 and participants in the Wisconsin Works program under ss. 49.141 to 49.161. The
12 activities of the department of health services under this subsection may include
13 comparisons of information provided to the department by an applicant and
14 information provided by the applicant to other federal, state, and local agencies,
15 development of an advisory welfare investigation prosecution standard, and
16 provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to
17 Wisconsin Works agencies to encourage activities to detect fraud. The department
18 of health services shall cooperate with district attorneys regarding fraud
19 prosecutions.

20 (2) STATE ERROR REDUCTION ACTIVITIES. The department of health services shall
21 conduct activities to reduce payment errors in the Medical Assistance program under
22 subch. IV, the ~~food stamp~~ supplemental nutrition assistance program under 7 USC
23 2011 to 2036, the supplemental security income payments program under s. 49.77,
24 the program providing payments for the support of children of supplemental security
25 income recipients under s. 49.775, and the Badger Care health care program under

1 s. 49.665 and, if the department of children and families contracts with the
2 department of health services under sub. (4), in Wisconsin Works under ss. 49.141
3 to 49.161.

4 **SECTION 306.** 49.847 (title) and (3) of the statutes are renumbered 49.021 (title)
5 and (3).

6 **SECTION 307.** 49.847 (1) and (2) of the statutes, as affected by 2011 Wisconsin
7 Act 32, are renumbered 49.021 (1) and (2) and amended to read:

8 49.021 (1) Subject to ss. 49.497 (1) and 49.793 (1), the department of health
9 services, or a county, multicounty consortium, as defined in s. ~~49.78~~ 49.003 (1) (br),
10 or elected tribal governing body of a ~~federally recognized American Indian tribe or~~
11 ~~band~~ acting on behalf of the department, may recover benefits incorrectly paid under
12 any of the programs administered by the department under this chapter.

13 (2) The department, county, multicounty consortium, as defined in s. ~~49.78~~
14 49.003 (1) (br), or elected tribal governing body may recover an overpayment from
15 a family or individual who continues to receive benefits under any program
16 administered by the department under this chapter by reducing the family's or
17 individual's benefit amount. Subject to s. 49.793 (1), the department may by rule
18 specify other methods for recovering incorrectly paid benefits.

19 **SECTION 308.** 49.85 of the statutes is renumbered 49.023, and 49.023 (1), (2)
20 (a) (intro.) and (3) (a) 1., as renumbered, are amended to read:

21 49.023 (1) DEPARTMENT NOTIFICATION REQUIREMENT. If a county department
22 under s. 46.215, 46.22, or 46.23 or a tribal governing body of a ~~federally recognized~~
23 ~~American Indian tribe or band~~ determines that the department of health services
24 may recover an amount under s. 49.021, 49.497, or 49.793, ~~or 49.847~~, or that the
25 department of children and families may recover an amount under s. 49.161 or

1 49.195 (3) or collect an amount under s. 49.147 (6) (cm), the county department or
2 tribal governing body shall notify the affected department of the determination. If
3 a Wisconsin Works agency determines that the department of children and families
4 may recover an amount under s. 49.161 or 49.195 (3), or collect an amount under s.
5 49.147 (6) (cm), the Wisconsin Works agency shall notify the department of children
6 and families of the determination.

7 (2) (a) (intro.) At least annually, the department of health services shall certify
8 to the department of revenue the amounts that, based on the notifications received
9 under sub. (1) and on other information received by the department of health
10 services, the department of health services has determined that it may recover under
11 s. 49.021, 49.45 (2) (a) 10., 49.497, or 49.793, ~~or 49.847~~, except that the department
12 of health services may not certify an amount under this subsection unless all of the
13 following apply:

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

18 SECTION 309. 49.852 (1c) of the statutes is repealed.

19 SECTION 310. 49.853 (1) (b) of the statutes is repealed.

20 SECTION 311. 49.853 (4) (d) of the statutes is amended to read:

21 49.853 (4) (d) A financial institution participating in the state matching option
22 under this subsection, and the employees, agents, officers, and directors of the
23 financial institution, may use any information that is provided by the department
24 in requesting additional information under par. (b) only for the purpose of
25 administering s. ~~49.22~~ 49.811 or for the purpose of providing the additional

1 information. Any person who violates this paragraph may be fined not less than \$25
2 nor more than \$500 or imprisoned in the county jail for not less than 10 days nor more
3 than one year or both.

4 SECTION 312. 49.854 (1) (a) of the statutes is repealed.

5 SECTION 313. 49.855 (6) of the statutes is amended to read:

6 49.855 (6) If the state implements the child and spousal support and
7 establishment of paternity and medical support liability program under ss. ~~49.22~~
8 49.811 and 59.53 (5), the state may act under this section in place of the county child
9 support agency under s. 59.53 (5).

10 SECTION 314. 49.856 (1) (b) of the statutes is repealed.

11 SECTION 315. 49.857 (1) (cf) of the statutes is repealed.

12 SECTION 316. 49.857 (4) of the statutes, as affected by 2011 Wisconsin Act 32,
13 is amended to read:

14 49.857 (4) Each licensing agency shall enter into a memorandum of
15 understanding with the department of children and families under sub. (2) (b) and
16 shall cooperate with the department of children and families in its administration
17 of s. ~~49.22~~ 49.811. The department of safety and professional services shall enter into
18 a memorandum of understanding with the department of children and families on
19 behalf of a credentialing board with respect to a credential granted by the
20 credentialing board.

21 SECTION 317. 49.858 (1) (intro.) and (b) of the statutes are consolidated,
22 renumbered 49.858 (1) and amended to read:

23 49.858 (1) DEFINITION. In this section: ~~(b) "Support.~~ "support" has the meaning
24 given in s. 49.857 (1) (g).

25 SECTION 318. 49.858 (1) (a) of the statutes is repealed.

1 **SECTION 319.** 49.86 of the statutes is renumbered 49.035.

2 **SECTION 320.** 49.89 of the statutes is renumbered 49.037.

3 **SECTION 321.** 49.90 of the statutes is renumbered 49.039.

4 **SECTION 322.** 49.95 of the statutes is repealed.

5 **SECTION 323.** 49.96 of the statutes is renumbered 49.043 and amended to read:

6 **49.043 Assistance grants exempt from levy.** All grants of aid to families
7 with dependent children, payments made under ss. 48.57 (3m) or (3n), 49.143 (2z),
8 49.148 (1) (b) 1. or (c) or (1m), or ~~49.149~~ 49.15 to 49.159, payments made for social
9 services, cash benefits paid by counties under s. 59.53 (21), and benefits under s.
10 49.77, 49.775, or federal Title XVI, are exempt from every tax, and from execution,
11 garnishment, attachment and every other process 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 bill. Also, exempts payments made to custodial parents of supplemental security income payments from taxation, execution, garnishment, attachment, and other processes.

12 **SECTION 324.** 50.01 (1g) (b) of the statutes is amended to read:

13 50.01 (1g) (b) A facility or private home that provides care, treatment, and
14 services only for victims of domestic abuse, as defined in s. ~~49.165~~ 49.217 (1) (a), and
15 their children.

16 **SECTION 325.** 51.42 (3) (e) of the statutes is amended to read:

17 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
18 (2) (a), 49.013, 49.45 (4), ~~49.83~~, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7),
19 253.07 (3) (c), and 938.78 (2) (a), any subunit of a county department of community
20 programs or tribal agency acting under this section may exchange confidential
21 information about a client, without the informed consent of the client, with any other
22 subunit of the same county department of community programs or tribal agency,
23 with a resource center, a care management organization, or a long-term care district,

1 or with any person providing services to the client under a purchase of services
2 contract with the county department of community programs or tribal agency or with
3 a resource center, care management organization, or long-term care district, if
4 necessary to enable an employee or service provider to perform his or her duties, or
5 to enable the county department of community programs or tribal agency to
6 coordinate the delivery of services to the client. Any agency releasing information
7 under this paragraph shall document that a request was received and what
8 information was provided.

9 SECTION 326. 51.437 (4r) (b) of the statutes is amended to read:

10 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.013, 49.45 (4),
11 ~~49.83~~, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2)
12 (a), any subunit of a county department of developmental disabilities services or
13 tribal agency acting under this section may exchange confidential information about
14 a client, without the informed consent of the client, with any other subunit of the
15 same county department of developmental disabilities services or tribal agency, with
16 a resource center, a care management organization, or a long-term care district, or
17 with any person providing services to the client under a purchase of services contract
18 with the county department of developmental disabilities services or tribal agency
19 or with a resource center, a care management organization, or a long-term care
20 district, if necessary to enable an employee or service provider to perform his or her
21 duties, or to enable the county department of developmental disabilities services or
22 tribal agency to coordinate the delivery of services to the client. Any agency releasing
23 information under this paragraph shall document that a request was received and
24 what information was provided.

25 SECTION 327. 59.22 (2) (c) 2. of the statutes is amended to read:

1 59.22 (2) (c) 2. No action of the board may be contrary to or in derogation of the
2 rules of the department of children and families under s. ~~49.78~~ 49.003 (4) to (7)
3 relating to employees administering old-age assistance, aid to families with
4 dependent children, aid to the blind, or aid to totally and permanently disabled
5 persons or ss. 63.01 to 63.17.

6 **SECTION 328.** 59.40 (2) (p) of the statutes is amended to read:

7 59.40 (2) (p) Cooperate with the department of children and families with
8 respect to the child and spousal support and establishment of paternity and medical
9 support liability program under ss. ~~49.22~~ 49.811 and 59.53 (5), and provide that
10 department with any information from court records which it requires to administer
11 that program.

12 **SECTION 329.** 59.53 (5) (a) and (6) (b) of the statutes are amended to read:

13 59.53 (5) (a) The board shall contract with the department of children and
14 families to implement and administer the child and spousal support and
15 establishment of paternity and the medical support liability programs provided for
16 by Title IV of the federal ~~social security act~~ Social Security Act. The board may
17 designate by board resolution any office, officer, board, department, or agency, except
18 the clerk of circuit court, as the county child support agency. The board or county
19 child support agency shall implement and administer the programs in accordance
20 with the contract with the department of children and families. The attorneys
21 responsible for support enforcement under sub. (6) (a), circuit court commissioners,
22 and all other county officials shall cooperate with the county and the department of
23 children and families as necessary to provide the services required under the
24 programs. The county shall charge the fee established by the department of children
25 and families under s. ~~49.22~~ 49.811 for services provided under this paragraph to

1 persons not receiving benefits under s. 49.148 or 49.155 or assistance under s.
2 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
4 institute, commence, appear in, or perform other prescribed duties in actions or
5 proceedings under sub. (5) and ss. ~~49.22~~ 49.811 (7), 767.205 (2), 767.501 and 767.80
6 and ch. 769.

7 SECTION 330. 59.54 (23) of the statutes is amended to read:

8 59.54 (23) PUBLIC ASSISTANCE; FALSE REPRESENTATION. The board may enact and
9 enforce an ordinance to prohibit conduct that is the same as or similar to conduct that
10 is prohibited by s. ~~49.95 (1)~~ 946.93 (2) and provide a forfeiture for a violation of the
11 ordinance.

12 SECTION 331. 63.03 (2) (r) of the statutes is amended to read:

13 63.03 (2) (r) All staff performing services for the Milwaukee County enrollment
14 services unit under s. ~~49.825~~ 49.009 or for the child care provider services unit under
15 s. ~~49.826~~ 49.011.

16 SECTION 332. 69.03 (14) of the statutes is amended to read:

17 69.03 (14) Provide hospitals with a pamphlet containing information for
18 parents about birth certificates including how to add the name of the father of a child
19 whose parents were not married at any time from the conception to the birth of the
20 child to the birth certificate under s. 69.15 (3) (b) or, if the father will not sign an
21 affidavit, through a paternity action; the legal significance and future medical
22 advantages to the child of having the father's name inserted on the birth certificate;
23 and the availability of services under s. ~~49.22~~ 49.811.

24 SECTION 333. 69.15 (3) (b) 3. of the statutes is amended to read:

1 69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives
2 a statement acknowledging paternity on a form prescribed by the state registrar and
3 signed by both parents, and by a parent or legal guardian of any parent who is under
4 the age of 18 years, along with the fee under s. 69.22, the state registrar shall insert
5 the name of the father under subd. 1. The state registrar shall mark the certificate
6 to show that the form is on file. The form shall be available to the department of
7 children and families or a county child support agency under s. 59.53 (5) pursuant
8 to the program responsibilities under s. ~~49.22~~ 49.811 or to any other person with a
9 direct and tangible interest in the record. The state registrar shall include on the
10 form for the acknowledgment the information in s. 767.805 and the items in s.
11 767.813 (5g).

12 **SECTION 334.** 69.20 (3) (f) of the statutes is amended to read:

13 69.20 (3) (f) The state or a local registrar may disclose a social security number
14 on a vital record to the department of children and families or a county child support
15 agency under s. 59.53 (5) in response to a request under s. ~~49.22~~ 49.811 (2m).

16 **SECTION 335.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

17 71.07 (2dx) (a) 5. “Member of a targeted group” means a person who resides
18 in an area designated by the federal government as an economic revitalization area,
19 a person who is employed in an unsubsidized job but meets the eligibility
20 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
21 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work,
22 real pay project position under s. 49.147 (3m), 2009 stats., a person who is eligible
23 for child care assistance under s. 49.155, a person who is a vocational rehabilitation
24 referral, an economically disadvantaged youth, an economically disadvantaged
25 veteran, a supplemental security income recipient, a general assistance recipient, an

1 economically disadvantaged ex-convict, a qualified summer youth employee, as
2 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
3 a ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance
4 program under 7 USC 2011 to 2036, if the person has been certified in the manner
5 under sub. (2dj) (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

6 **SECTION 336.** 71.07 (2dx) (b) 2. of the statutes, as affected by 2011 Wisconsin
7 Act 32, is amended to read:

8 71.07 (2dx) (b) 2. The amount determined by multiplying the amount
9 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
10 of full-time jobs created in a development zone and filled by a member of a targeted
11 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the
12 subsidies and reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those
13 jobs.

14 **SECTION 337.** 71.07 (2dx) (b) 3. of the statutes, as affected by 2011 Wisconsin
15 Act 32, is amended to read:

16 71.07 (2dx) (b) 3. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
18 of full-time jobs created in a development zone and not filled by a member of a
19 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or
20 the subsidies and reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those
21 jobs.

22 **SECTION 338.** 71.07 (2dx) (b) 4. of the statutes, as affected by 2011 Wisconsin
23 Act 32, is amended to read:

24 71.07 (2dx) (b) 4. The amount determined by multiplying the amount
25 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the

1 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
2 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
3 (2dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
4 and for which significant capital investment was made and by then subtracting the
5 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid
6 under s. 49.147 (3m) (c), 2009 stats., for those jobs.

7 **SECTION 339.** 71.07 (2dx) (b) 5. of the statutes, as affected by 2011 Wisconsin
8 Act 32, is amended to read:

9 71.07 (2dx) (b) 5. The amount determined by multiplying the amount
10 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
11 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
12 2009 stats., excluding jobs for which a credit has been claimed under sub. (2dj), in
13 a development zone and not filled by a member of a targeted group and by then
14 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
15 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

16 **SECTION 340.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

17 71.28 (1dx) (a) 5. "Member of a targeted group" means a person who resides
18 in an area designated by the federal government as an economic revitalization area,
19 a person who is employed in an unsubsidized job but meets the eligibility
20 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
21 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work,
22 real pay project position under s. 49.147 (3m), 2009 stats., a person who is eligible
23 for child care assistance under s. 49.155, a person who is a vocational rehabilitation
24 referral, an economically disadvantaged youth, an economically disadvantaged
25 veteran, a supplemental security income recipient, a general assistance recipient, an

1 economically disadvantaged ex-convict, a qualified summer youth employee, as
2 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
3 a ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance
4 program under 7 USC 2011 to 2036, if the person has been certified in the manner
5 under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

6 **SECTION 341.** 71.28 (1dx) (b) 2. of the statutes, as affected by 2011 Wisconsin
7 Act 32, is amended to read:

8 71.28 (1dx) (b) 2. The amount determined by multiplying the amount
9 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
10 of full-time jobs created in a development zone and filled by a member of a targeted
11 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the
12 subsidies and reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those
13 jobs.

14 **SECTION 342.** 71.28 (1dx) (b) 3. of the statutes, as affected by 2011 Wisconsin
15 Act 32, is amended to read:

16 71.28 (1dx) (b) 3. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
18 of full-time jobs created in a development zone and not filled by a member of a
19 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or
20 the subsidies and reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those
21 jobs.

22 **SECTION 343.** 71.28 (1dx) (b) 4. of the statutes, as affected by 2011 Wisconsin
23 Act 32, is amended to read:

24 71.28 (1dx) (b) 4. The amount determined by multiplying the amount
25 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the

1 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
2 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
3 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
4 and for which significant capital investment was made and by then subtracting the
5 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid
6 under s. 49.147 (3m) (c), 2009 stats., for those jobs.

7 **SECTION 344.** 71.28 (1dx) (b) 5. of the statutes, as affected by 2011 Wisconsin
8 Act 32, is amended to read:

9 71.28 (1dx) (b) 5. The amount determined by multiplying the amount
10 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
11 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
12 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
13 a development zone and not filled by a member of a targeted group and by then
14 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
15 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

16 **SECTION 345.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

17 71.47 (1dx) (a) 5. "Member of a targeted group" means a person who resides
18 in an area designated by the federal government as an economic revitalization area,
19 a person who is employed in an unsubsidized job but meets the eligibility
20 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
21 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work,
22 real pay project position under s. 49.147 (3m), 2009 stats., a person who is eligible
23 for child care assistance under s. 49.155, a person who is a vocational rehabilitation
24 referral, an economically disadvantaged youth, an economically disadvantaged
25 veteran, a supplemental security income recipient, a general assistance recipient, an

1 economically disadvantaged ex-convict, a qualified summer youth employee, as
2 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
3 a ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance
4 program under 7 USC 2011 to 2036, if the person has been certified in the manner
5 under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

6 **SECTION 346.** 71.47 (1dx) (b) 2. of the statutes, as affected by 2011 Wisconsin
7 Act 32, is amended to read:

8 71.47 (1dx) (b) 2. The amount determined by multiplying the amount
9 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
10 of full-time jobs created in a development zone and filled by a member of a targeted
11 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the
12 subsidies and reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those
13 jobs.

14 **SECTION 347.** 71.47 (1dx) (b) 3. of the statutes, as affected by 2011 Wisconsin
15 Act 32, is amended to read:

16 71.47 (1dx) (b) 3. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
18 of full-time jobs created in a development zone and not filled by a member of a
19 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or
20 the subsidies and reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those
21 jobs.

22 **SECTION 348.** 71.47 (1dx) (b) 4. of the statutes, as affected by 2011 Wisconsin
23 Act 32, is amended to read:

24 71.47 (1dx) (b) 4. The amount determined by multiplying the amount
25 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the

1 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
2 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
3 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
4 and for which significant capital investment was made and by then subtracting the
5 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid
6 under s. 49.147 (3m) (c), 2009 stats., for those jobs.

7 **SECTION 349.** 71.47 (1dx) (b) 5. of the statutes, as affected by 2011 Wisconsin
8 Act 32, is amended to read:

9 71.47 (1dx) (b) 5. The amount determined by multiplying the amount
10 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
11 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
12 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
13 a development zone and not filled by a member of a targeted group and by then
14 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
15 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

16 **SECTION 350.** 71.78 (4) (g) of the statutes is amended to read:

17 71.78 (4) (g) Employees of this state, to the extent that the department of
18 revenue deems the examination necessary for the employees to perform their duties
19 under contracts or agreements between the department and any other department,
20 division, bureau, board or commission of this state relating to the administration of
21 tax laws or child and spousal support enforcement under s. ~~49.22~~ 49.811.

22 **SECTION 351.** 71.93 (1) (a) 3. and 4. of the statutes are amended to read:

23 71.93 (1) (a) 3. An amount that the department of health services may recover
24 under s. 49.021, 49.45 (2) (a) 10., 49.497, or 49.793, ~~or 49.847~~, if the department of
25 health services has certified the amount under s. ~~49.85~~ 49.023.

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

4 **SECTION 352.** 73.0301 (2) (c) 2. of the statutes is amended to read:

5 73.0301 (2) (c) 2. A licensing department may not disclose any information
6 received under subd. 1. a. or b. to any person except to the department of revenue for
7 the purpose of requesting certifications under par. (b) 2. in accordance with the
8 memorandum of understanding under sub. (4) and administering state taxes or to
9 the department of children and families for the purpose of administering s. ~~49.22~~
10 49.811.

11 **SECTION 353.** 76.636 (1) (e) 3. of the statutes is amended to read:

12 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
13 (1) (n), ~~or in a real work, real pay project position under s. 49.147 (3m)~~.

14 **SECTION 354.** 76.636 (1) (e) 13. of the statutes is amended to read:

15 76.636 (1) (e) 13. A ~~food stamp~~ recipient of benefits under the supplemental
16 nutrition assistance program under 7 USC 2011 to 2036.

17 **SECTION 355.** 76.636 (2) (b) of the statutes, as affected by 2011 Wisconsin Act
18 32, is amended to read:

19 76.636 (2) (b) The amount determined by multiplying the amount determined
20 under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time
21 jobs created in a development zone and filled by a member of a targeted group and
22 by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
23 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

24 **SECTION 356.** 76.636 (2) (c) of the statutes, as affected by 2011 Wisconsin Act
25 32, is amended to read:

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

6 **SECTION 357.** 76.636 (2) (d) of the statutes, as affected by 2011 Wisconsin Act
7 32, is amended to read:

8 76.636 (2) (d) The amount determined by multiplying the amount determined
9 under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of
10 full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009
11 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an
12 enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for
13 which significant capital investment was made and by then subtracting the
14 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid
15 under s. 49.147 (3m) (c), 2009 stats., for those jobs.

16 **SECTION 358.** 76.636 (2) (e) of the statutes, as affected by 2011 Wisconsin Act
17 32, is amended to read:

18 76.636 (2) (e) The amount determined by multiplying the amount determined
19 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
20 jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,
21 excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a
22 development zone and not filled by a member of a targeted group and by then
23 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
24 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

25 **SECTION 359.** 77.61 (5) (b) 11. of the statutes is amended to read:

1 77.61 (5) (b) 11. The department of children and families or a county child
2 support agency under s. 59.53 (5) in response to a request under s. ~~49.22~~ 49.811 (2m).

3 **SECTION 360.** 85.24 (4) (b) of the statutes is amended to read:

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

9 **SECTION 361.** 85.24 (4) (c) of the statutes is amended to read:

10 85.24 (4) (c) Any person who willfully discloses or who, under false pretenses,
11 willfully requests or obtains information in violation of par. (a) may be required to
12 forfeit not more than \$500 for each violation. This paragraph does not apply to
13 information disclosed, requested or obtained to the extent necessary to administer
14 the ride-sharing program or, if requested under s. ~~49.22~~ 49.811 (2m), to the
15 department of children and families or a county child support agency under s. 59.53
16 (5).

17 **SECTION 362.** 101.02 (21) (b) of the statutes, as affected by 2011 Wisconsin Act
18 32, is amended to read:

19 101.02 (21) (b) As provided in the memorandum of understanding under s.
20 49.857 and except as provided in par. (e), the department of safety and professional
21 services may not issue or renew a license unless the applicant provides the
22 department of safety and professional services with his or her social security number.
23 The department of safety and professional services may not disclose the social
24 security number except that the department of safety and professional services may
25 disclose the social security number of an applicant for a license under par. (a) or a

1 renewal of a license under par. (a) to the department of children and families for the
2 sole purpose of administering s. ~~49.22~~ 49.811.

3 SECTION 363. 101.123 (1) (abm) of the statutes is amended to read:

4 101.123 (1) (abm) "Child care center" has the meaning given in s. ~~49.136~~ 49.205
5 (1) (ad).

6 SECTION 364. 102.17 (1) (cg) 3. of the statutes is amended to read:

7 102.17 (1) (cg) 3. The department of workforce development may not disclose
8 any information received under subd. 1. to any person except to the department of
9 revenue for the sole purpose of requesting certifications under s. 73.0301 or the
10 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

11 SECTION 365. 102.29 (8r) of the statutes is amended to read:

12 102.29 (8r) No participant in a ~~food stamp~~ supplemental nutrition assistance
13 employment and training program under s. 49.79 (9) who, under s. 49.79 (9) (a) 5.,
14 is provided worker's compensation coverage by the department of health services or
15 by a Wisconsin Works agency, as defined in s. 49.001 (9), or other provider under
16 contract with the department of health services or a county department under s.
17 46.215, 46.22, or 46.23 or tribal governing body to administer the ~~food stamp~~
18 supplemental nutrition assistance employment and training program and who
19 makes a claim for compensation under this chapter may make a claim or maintain
20 an action in tort against the employer who provided the employment and training
21 from which the claim arose.

22 SECTION 366. 102.33 (2) (b) 5. of the statutes is amended to read:

23 102.33 (2) (b) 5. The requester is the department of children and families or a
24 county child support agency under s. 59.53 (5), the request is made under s. ~~49.22~~
25 49.811 (2m), and the request is limited to the name and address of the employee who

1 is the subject of the record, the name and address of the employee's employer, and
2 any financial information about that employee contained in the record.

3 **SECTION 367.** 103.05 (1) and (4) (a) of the statutes are amended to read:

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

10 (4) (a) Except as provided in par. (b), no person may use or disclose information
11 obtained under this section except in the administration of the program under s.
12 ~~49.22~~ 49.811 or a program specified in 42 USC 653a (h).

13 **SECTION 368.** 103.275 (2) (bg) 3. of the statutes is amended to read:

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

18 **SECTION 369.** 103.34 (10) (a) 4. of the statutes is amended to read:

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

23 **SECTION 370.** 103.91 (2) (b) 3. of the statutes is amended to read:

24 103.91 (2) (b) 3. The department of workforce development may not disclose
25 any information received under subd. 1. to any person except to the department of

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

3 **SECTION 371.** 103.92 (1) (b) 3. of the statutes is amended to read:

4 103.92 (1) (b) 3. The department of workforce development may not disclose
5 any information received under subd. 1. to any person except to the department of
6 revenue for the sole purpose of requesting certifications under s. 73.0301 or the
7 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

8 **SECTION 372.** 104.07 (4) (c) of the statutes is amended to read:

9 104.07 (4) (c) The department of workforce development may not disclose any
10 information received under par. (a) to any person except to the department of
11 revenue for the sole purpose of requesting certifications under s. 73.0301 or the
12 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

13 **SECTION 373.** 105.06 (1m) (c) of the statutes is amended to read:

14 105.06 (1m) (c) The department of workforce development may not disclose any
15 information received under par. (a) to any person except to the department of
16 revenue for the sole purpose of requesting certifications under s. 73.0301 or the
17 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

18 **SECTION 374.** 106.54 (9) of the statutes is amended to read:

19 106.54 (9) The division shall receive complaints under s. ~~49.019 (4)(d) or~~ 49.197
20 (6) (d) ~~or 49.845 (4) (d)~~ and shall process the complaints in the same manner that
21 employment discrimination complaints are processed under s. 111.39.

22 **SECTION 375.** 111.322 (2m) (bm) of the statutes is amended to read:

23 111.322 (2m) (bm) The individual files a complaint or attempts to enforce a
24 right under s. ~~49.019 (4) (d) or~~ 49.197 (6) (d) ~~or 49.845 (4) (d)~~ or testifies or assists in
25 any action or proceeding under s. ~~49.019 (4) (d) or~~ 49.197 (6) (d) ~~or 49.845 (4) (d)~~.

1 **SECTION 376.** 115.347 (2) of the statutes is amended to read:

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

13 **SECTION 377.** 118.15 (5) (b) 1. of the statutes is amended to read:

14 118.15 (5) (b) 1. Paragraph (a) does not apply to a person who has under his or
15 her control a child who has been sanctioned under s. ~~49.26~~ 49.198 (1) (h).

16 **SECTION 378.** 118.19 (1r) (a) and (10) (g) of the statutes are amended to read:

17 118.19 (1r) (a) As provided in the memorandum of understanding under s.
18 49.857, the department of public instruction may not issue or renew a license or
19 permit or revalidate a license that has no expiration date unless the applicant
20 provides the department of public instruction with his or her social security number.
21 The department of public instruction may not disclose the social security number
22 except to the department of children and families for the sole purpose of
23 administering s. ~~49.22~~ 49.811.

24 (10) (g) At the request under s. ~~49.22~~ 49.811 (2m) of the department of children
25 and families or a county child support agency under s. 59.53 (5), the state

1 superintendent shall release the name and address of the applicant or licensee, the
2 name and address of the applicant's or licensee's employer, and financial
3 information, if any, related to the applicant or licensee obtained under this
4 subsection to the department of children and families or the county child support
5 agency.

6 **SECTION 379.** 119.82 (1m) (c) of the statutes is amended to read:

7 119.82 (1m) (c) Has been or is being sanctioned under s. ~~49.26~~ 49.198 (1) (h).

8 **SECTION 380.** 134.43 (3m) of the statutes is amended to read:

9 134.43 (3m) Subsections (2) (b), (2m), and (3) do not apply to information
10 regarding the name, address, or employer of or financial information related to a
11 subscriber or member of a subscriber's household that is requested under s. ~~49.22~~
12 49.811 (2m) by the department of children and families or a county child support
13 agency under s. 59.53 (5).

14 **SECTION 381.** 149.12 (2) (f) 2. c. of the statutes is amended to read:

15 149.12 (2) (f) 2. c. Medical assistance under s. 49.46 (1) ~~(1g)~~ (a) 15.

16 **SECTION 382.** 169.34 (2) of the statutes is amended to read:

17 169.34 (2) DISCLOSURE OF SOCIAL SECURITY NUMBERS. The department of natural
18 resources may not disclose any social security numbers received under sub. (1) to any
19 person except to the department of children and families for the sole purpose of
20 administering s. ~~49.22~~ 49.811.

21 **SECTION 383.** 218.0114 (20) (c) and (21e) (a) of the statutes are amended to read:

22 218.0114 (20) (c) An applicant or licensee furnishing information under par. (a)
23 may designate the information as a trade secret, as defined in s. 134.90 (1) (c), or as
24 confidential business information. The licensor shall notify the applicant or licensee
25 providing the information 15 days before any information designated as a trade

1 secret or as confidential business information is disclosed to the legislature, a state
2 agency, as defined in s. 13.62 (2), a local governmental unit, as defined in s. 605.01
3 (1), or any other person. The applicant or licensee furnishing the information may
4 seek a court order limiting or prohibiting the disclosure, in which case the court shall
5 weigh the need for confidentiality of the information against the public interest in
6 the disclosure. A designation under this paragraph does not prohibit the disclosure
7 of a person's name or address, of the name or address of a person's employer, or of
8 financial information that relates to a person when requested under s. ~~49.22~~ 49.811
9 (2m) by the department of children and families or a county child support agency
10 under s. 59.53 (5).

11 (21e) (a) In addition to any other information required under this section and
12 except as provided in par. (c), an application by an individual for the issuance or
13 renewal of a license described in sub. (14) shall include the individual's social
14 security number and an application by a person who is not an individual for the
15 issuance or renewal of a license described in sub. (14) (a), (b), (c), or (e) shall include
16 the person's federal employer identification number. The licensor may not disclose
17 any information received under this paragraph to any person except the department
18 of children and families for purposes of administering s. ~~49.22~~ 49.811 or the
19 department of revenue for the sole purpose of requesting certifications under s.
20 73.0301.

21 SECTION 384. 218.11 (2) (am) 3. of the statutes, as affected by 2011 Wisconsin
22 Act 32, is amended to read:

23 218.11 (2) (am) 3. The department may not disclose any information received
24 under subd. 1. to any person except to the department of children and families for

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

3 **SECTION 385.** 218.12 (2) (am) 2. of the statutes, as affected by 2011 Wisconsin
4 Act 32, is amended to read:

5 218.12 (2) (am) 2. The department may not disclose a social security number
6 obtained under par. (a) to any person except to the department of children and
7 families for the sole purpose of administering s. ~~49.22~~ 49.811 or to the department
8 of revenue for the sole purpose of requesting certifications under s. 73.0301.

9 **SECTION 386.** 218.21 (2m) (b) of the statutes is amended to read:

10 218.21 (2m) (b) The department of transportation may not disclose any
11 information received under sub. (2) (ag) or (am) to any person except to the
12 department of children and families for purposes of administering s. ~~49.22~~ 49.811 or
13 the department of revenue for the sole purpose of requesting certifications under s.
14 73.0301.

15 **SECTION 387.** 218.31 (1m) (b) of the statutes is amended to read:

16 218.31 (1m) (b) The department of transportation may not disclose any
17 information received under sub. (1) (ag) or (am) to any person except to the
18 department of children and families for purposes of administering s. ~~49.22~~ 49.811 or
19 the department of revenue for the sole purpose of requesting certifications under s.
20 73.0301.

21 **SECTION 388.** 218.41 (2) (am) 2. of the statutes is amended to read:

22 218.41 (2) (am) 2. The department of transportation may not disclose any
23 information received under subd. 1. a. or b. to any person except to the department
24 of children and families for the sole purpose 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 389.** 218.51 (3) (am) 2. of the statutes is amended to read:

4 218.51 (3) (am) 2. The department of transportation may not disclose any
5 information received under subd. 1. a. or b. to any person except to the department
6 of 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 390.** 227.01 (13) (im) of the statutes is repealed.

10 **SECTION 391.** 227.43 (1) (by) of the statutes is amended to read:

11 227.43 (1) (by) Assign a hearing examiner to preside over any hearing of a
12 contested case that is required to be conducted by the department of children and
13 families under ~~ch. 48 or subch. ss. 49.811 to 49.823, subch. II or III of ch. 49, or ch.~~
14 48 and that is not conducted by the secretary of children and families.

15 **SECTION 392.** 230.13 (3) (a) of the statutes is amended to read:

16 230.13 (3) (a) The director and the administrator shall provide to the
17 department of children and families or a county child support agency under s. 59.53
18 (5) information requested under s. ~~49.22~~ 49.811 (2m) that would otherwise be closed
19 to the public under this section. Information provided under this paragraph may
20 only include an individual's name and address, an individual's employer, and
21 financial information related to an individual.

22 **SECTION 393.** 230.44 (1) (h) and (i) of the statutes are amended to read:

23 230.44 (1) (h) *Decisions affecting Milwaukee County employees by the*
24 *department of health services.* A decision of the department of health services
25 relating to a Milwaukee County employee under s. ~~49.825~~ 49.009 (3) (b).