

**2011 DRAFTING REQUEST**

**Senate Amendment (SA-SB426)**

Received: **02/24/2012**

Received By: **fknepp**

Wanted: **As time permits**

Companion to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **Julie**

May Contact:

Drafter: **fknepp**

Subject: **Public Assistance - Wis works**

Addl. Drafters:

Extra Copies: **Pam Kahler**

Submit via email: **YES**

Requester's email: **Sen.Erpenbach@legis.wisconsin.gov**

Carbon copy (CC:) to: **fern.knepp@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Intentional program violations

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	fknepp 02/24/2012	mduchek 02/24/2012	jmurphy 02/24/2012	_____	ggodwin 02/24/2012	ggodwin 02/24/2012	

FE Sent For:

<END>

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/?	fknepp	<i>1/11</i> <i>2/24/12</i>	<i>jm</i> <i>2/24</i>	<i>cmh</i> <i>2/24</i>			
FE Sent For:				<END>			

**Knepp, Fern**

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**From:** Laundrie, Julie  
**Sent:** Friday, February 24, 2012 10:09 AM  
**To:** Knepp, Fern  
**Subject:** erp amendment

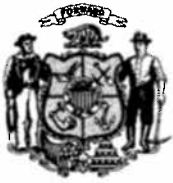
On page 3 after line 14 insert

Section 4.49.151 is created to read:

© If benefits are denied under the Wisconsin Works program pursuant to this section, vendor payments shall be made to the landlord or the mortgagor for the premises that are occupied by the children in the household who are otherwise eligible for the Wisconsin Works program for the period the benefits are denied.

*as defined  
over the defini-  
tion*

**Julie Laundrie**  
**Office of Senator Jon Erpenbach**  
**608-266-6670 104 South**  
**media contact cell 608-772-0110**



State of Wisconsin  
2011 - 2012 LEGISLATURE

In 2-24-12

Out 2-24-12

*J-note*



LRBa24842

FFK.....

*med RME*

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

**SENATE AMENDMENT ,**

**TO 2011 SENATE BILL 426**

1. Page 3, line 6: delete "and (b)" and substitute  
"(b) and (c)"

1 At the locations indicated, amend the bill as follows:

2 Q 1. Page 3, line 14: after that line insert:

3 "(c) If an individual is denied benefits under par. (a), the other members of the  
4 participant's Wisconsin Works group who are dependent children shall continue to  
5 receive the individual's benefits in the form of vendor payments, as defined by the  
6 department by rule, to a landlord or mortgagee of premises that are occupied by the  
7 dependent children. For purposes of this paragraph, the amount of the individual's  
8 benefits is the amount of benefits that the individual would have been eligible to  
9 receive if the individual had not committed an intentional program violation. The  
10 length of time that benefits may be provided under this paragraph is the length of  
11 time of the denial under par. (a) or the length of time for which the individual would

1 have received benefits if the individual had not committed an intentional violation,  
2 whichever is shorter.”

3

(END)

# Page 3, line 18, delete “and (b)” and substitute  
“(b) and (c)”

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

LRBa24840<sup>21</sup>dn

FFK:.....

*DeWe*

*red*

To Senator Erpenbach,

Under this amendment, vendor payments to landlords or mortgagees <sup>are</sup> may be made for the period of time of the denial or for the period of time that the individual would have received the benefits if the individual had not committed an intentional program violation, which<sup>ever</sup> is shorter. This means that the length of time will not be longer than 60 months because an individual may not receive W-2 benefits for more than a total of 60 months under s. 49.145 (2) (n). Without this limitation, vendor payments could be required to be made permanently for a denial under s. 49.151 (1) (a) 3. Is this consistent with your intent?

Under this amendment, dependent children will receive benefits in the amount that the individual would have been eligible to receive if the individual had not committed the intentional program violation. Therefore, if an intentional program violation resulted in an individual receiving benefits that the individual would not otherwise have been eligible to receive, the dependent children will not receive those benefits. Is this consistent with your intent? Also, it is not clear how the requirement to provide the individual's benefit to the dependent children will apply to benefits that require the individual to participate in required activities, such as a community service job or a transitional placement.

Please feel free to contact me with any questions or concerns regarding this amendment.

Fern Knepp  
Legislative Attorney  
Phone: (608) 261-6927  
E-mail: fern.knepp@legis.wisconsin.gov

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

LRBa2484/1dn  
FFK:med:jm

February 24, 2012

To Senator Erpenbach,

Under this amendment, vendor payments to landlords or mortgagees are made for the period of time of the denial or for the period of time that the individual would have received the benefits if the individual had not committed an intentional program violation, whichever is shorter. This means that the length of time will not be longer than 60 months because an individual may not receive W-2 benefits for more than a total of 60 months under s. 49.145 (2) (n). Without this limitation, vendor payments could be required to be made permanently for a denial under s. 49.151 (1) (a) 3. Is this consistent with your intent?

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Please feel free to contact me with any questions or concerns regarding this amendment.

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