



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0065/6
GMM:cjs&sac:jf

DOA:.....Major, BB0192 - Tribal high-cost out-of-home placements and guardianships

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, there is an annual, sum certain appropriation of Indian gaming receipts to DCF to be used to reimburse tribes and county departments of human services or social services (county departments) for unexpected or unusually high-cost out-of-home care placements of Indian children by tribal courts. This bill permits DCF to use that appropriation to reimburse tribes and county departments for subsidized guardianship payments for guardianships of Indian children ordered by tribal courts.

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

SECTION 1. 20.437 (1) (kz) of the statutes is amended to read:

20.437 (1) (kz) *Interagency and intra-agency local assistance aids; tribal placements and guardianships.* The amounts in the schedule to be used for

unexpected or unusually high-cost out-of-home care placements of Indian children by tribal courts and for subsidized guardianship payments under s. 48.623 (1) or (6) for guardianships of Indian children ordered by tribal courts. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 21. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under section 20.505 (8) (hm).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 48.48 (8p) of the statutes is amended to read:

48.48 **(8p)** To reimburse tribes and county departments, from the appropriation under s. 20.437 (1) (kz), for unexpected or unusually high-cost out-of-home care placements of Indian children by tribal courts and for subsidized guardianship payments under s. 48.623 (1) or (6) for guardianships of Indian children ordered by tribal courts. In this subsection, “unusually high-cost out-of-home care placements” means the amount by which the cost to a tribe or to a county department of out-of-home care placements of Indian children by tribal courts exceeds \$50,000 in a fiscal year.

(END)