

RELATING CLAUSE

1 ^{WCH} eligibility requirements for persons or families of low and moderate income to
2 receive certain housing, housing assistance, grants, loans, or benefits from the
3 Wisconsin Housing and Economic Development Authority, the Department of
4 Administration, and local housing authorities; eligibility requirement for purposes
5 of receiving low-income energy assistance;

ANALYSIS INSERT

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Low-income energy assistance

Under current law, the Department of Administration (DOA) administers a program that provides low-income energy assistance to eligible households, including households with incomes of less than 60 percent of the statewide median household income and households composed entirely of individuals receiving Aid to Families with Dependent Children or Supplemental Security Income. This bill provides that for purposes of determining eligibility for low-income energy assistance, the income of a household that includes a married couple is reduced by \$10,000. This bill also makes ineligible for low-income energy assistance a household with assets that exceed \$2,000 in cash equity value or a vehicle having an equity value of \$10,000 or greater, unless a member of the household is disabled or aged 62 or older. Finally, under the bill, DOA may not notify a household of the household's eligibility for low-income energy assistance more than ~~2~~ ^{twice} times in a 12-month period.

Department of Administration low-income housing assistance

Under current law, ~~the~~ DOA may make grants or loans, directly or through agents designated by DOA, to persons or families of low or moderate income to defray housing costs, including utility costs, and may make grants to community-based organizations, organizations operated for profit, or housing authorities to improve the ability of these entities to provide housing opportunities for persons or families of low or moderate income.

This bill requires DOA to impose limits on eligibility and housing for families and persons of low and moderate income seeking housing assistance directly or indirectly through DOA. Under the requirement, persons or families of low and moderate income who receive housing or assistance with housing costs, ~~assistance~~ ^{or} with utility-related costs, grants, or loans from any project or program administered by DOA as described above, are subject to the following limitations:

1. A person or family of low or moderate income is restricted to housing in which the square footage is less than 50 percent of the average square footage for a rental



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unit of average rental value in the county in which the person or family resides. In order to satisfy this requirement, DOA may require more than two unrelated persons or families of low or moderate income be housed in one housing unit. This limitation does not apply to a person who is disabled or aged 62 or older. *with*

2. With two exceptions, persons or families of low and moderate income with assets that exceed \$2,000 in cash equity value or a vehicle having an equity value of \$10,000 or greater may not receive housing or assistance with housing costs or utility-related costs, from DOA. This limitation does not apply to a person who is disabled or aged 62 or older.

3. For purposes of determining eligibility for low-income housing assistance, the income of any individual who is not related to the applicant and who is living in the applicant's home at the time of the application must be included in the applicant's income.

If DOA determines that it may not implement the limitations and prohibitions established under the bill without a waiver of federal law from the federal Department of Housing and Urban Development (HUD) and that a waiver of federal law is available, DOA must apply for and obtain a waiver from HUD before it may implement the limitations.

Wisconsin Housing and Economic Development Authority low-income housing assistance

Under current law, the Wisconsin Housing and Economic Development Authority (WHEDA) administers several programs that provide assistance to persons and families of low and moderate income to obtain housing. Eligibility for the programs is determined under the Wisconsin statutes and under federal law, including the Housing Choice Voucher Program administered by HUD. Funding for these programs is provided from a number of sources, including bonds issued by WHEDA under its statutory authority and from the federal government. *in obtaining*

This bill requires WHEDA to impose the following limits on eligibility for families and persons of low and moderate income seeking housing assistance directly or indirectly through WHEDA:

1. No person may receive housing assistance from HUD through WHEDA unless the person is disabled or aged 62 or older. The bill defines "disabled" to mean blind as established under federal law or disabled as established under federal law.

2. Persons or families of low and moderate income who receive housing or housing assistance directly or indirectly from WHEDA shall be subject to the following limitations: *are*

a. A person or family of low or moderate income must be restricted to housing in which the square footage is less than 50 percent of the average square footage for a rental unit of average rental value in the county in which the person or family resides. In order to satisfy this requirement, WHEDA may require that more than two unrelated persons or families of low or moderate income be housed in one housing unit. This limitation does not apply to a person who is disabled or aged 62 or older.

b. With two exceptions, persons or families of low and moderate income with assets that exceed \$2,000 in cash equity value or a vehicle having an equity value of

with



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\$10,000 or greater may not receive housing or housing assistance from WHEDA. This limitation does not apply to a person who is disabled or aged 62 or older.

c. For purposes of determining eligibility for housing or housing assistance from WHEDA, the income of any individual who is not related to the applicant and who is living in the applicant's home at the time of the application must be included in the applicant's income.

If WHEDA determines that it may not implement the limitations and prohibitions established under the bill without a waiver of federal law from HUD and that a waiver of federal law is available, WHEDA must apply for and obtain a waiver from HUD before it may implement the limitations.

END ANALYSIS INSERT

INS A - 1

184

1 **SECTION 1.** 16.27 (2) (a) of the statutes is amended to read:

2 16.27 (2) (a) The department shall administer low-income energy assistance
3 as provided in this section to assist an eligible household to meet the costs of home
4 energy with low-income home energy assistance benefits authorized under 42 USC
5 8621 to 8629. Neither the department nor any county department, local government
6 agency, or private nonprofit organization with which the department contracts to
7 administer assistance under this section may notify a household that the household
8 is eligible for assistance under this section more than 2 times in a 12-month period.

History: 1985 a. 29 ss. 1055g, 2488h to 2488n; 1985 a. 176, 332; 1987 a. 27; 1989 a. 31, 359; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2336, 3182 to 3207; Stats. 1995 s. 16.385; 1995 a. 77, 417; 1999 a. 9; 2003 a. 33 s. 162; Stats. 2003 s. 16.27; 2003 a. 321 s. 11; 2003 a. 327 s. 5; 2005 a. 25, 344; 2009 a. 11, 28.

9 **SECTION 2.** 16.27 (5) (intro.) of the statutes is amended to read:

10 16.27 (5) ELIGIBILITY. (intro.) Subject to the requirements of subs. (4) (b) and
11 (8), and except as provided in sub. (5m), the following shall receive low-income
12 energy assistance under this section:

13 **SECTION 3.** 16.27 (5) (b) of the statutes is amended to read:

14 16.27 (5) (b) A household with income which is not more than 60 percent of the
15 statewide median household income. The income for a household that includes a

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Ins A-1 2004

1 married couple is reduced by \$10,000 before the determination of eligibility is made
2 under this paragraph.

History: 1985 a. 29 ss. 1055g, 2488h to 2488n; 1985 a. 176, 332; 1987 a. 27; 1989 a. 31, 359; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2336, 3182 to 3207; Stats. 1995 s. 16.385; 1995 a. 77, 417; 1999 a. 9; 2003 a. 33 s. 162; Stats. 2003 s. 16.27; 2003 a. 321 s. 11; 2003 a. 327 s. 5; 2005 a. 25, 344; 2009 a. 11, 28.

3 **SECTION 4. 16.27 (5m) of the statutes is created to read:**

4 **16.27 (5m) LIMITATIONS ON ELIGIBILITY.** (a) 1. Except as provided in subd. 2., a
5 household with assets that exceed \$2,000 in combined equity value or with a vehicle
6 having an equity value of \$10,000 or greater is not eligible for low-income energy
7 assistance under this section.

8 2. Subdivision 1. does not apply if any individual member of the household is
9 disabled, as defined in s. 49.468 (1) (a) 1., or is aged 62 or older.

10 (b) If the department determines it may not implement the limitation under
11 par. (a) 1. without a waiver from the federal department of health and human
12 services and that such a waiver may be requested under federal law, the department
13 shall request a waiver from the secretary of the federal department of health and
14 human services. If a waiver that is consistent with par. (a) 1. is granted and in effect,
15 the department shall implement the limitation on eligibility under par. (a) 1. If a
16 waiver is required, the department may not implement the limitation on eligibility
17 under par. (a) 1. unless a waiver is granted and in effect.

18 **SECTION 5. 16.3025 of the statutes is created to read:**

19 **16.3025^Δ State housing programs; limitations.** (1) The department shall
20 ensure that all of the following requirements are satisfied in connection with
21 housing, housing costs, utility-related costs, grants, or loans provided, directly or
22 indirectly, under ss. 16.301 to 16.315 by the department or by a community-based
23 organization, housing authority, or designated agent under s. 16.304 to persons and
24 families of low and moderate income:

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Ins A : 3B 4

1 (a) Any housing provided to a person or family of low or moderate income is
 2 restricted to housing in which the square footage is less than 50 percent of the
 3 average square footage for a rental unit of average rental value in the county in which
 4 the person or family resides. To satisfy the requirements of this ~~subdivision~~, *paragraph*
 5 department may require that more than 2 unrelated persons or families of low or
 6 moderate income be housed in one housing unit. This paragraph does not apply to
 7 a person who *is* or a family that includes a person who is disabled, as defined in s.
 8 49.468 (1) (a) 1., or is aged 62 or older.

9 (b) A person or family with assets that exceed \$2,000 in combined equity value
 10 or with a vehicle having an equity value of \$10,000 or greater is not eligible for
 11 housing, housing costs, or utility-related costs or ~~may~~ *eligible to* benefit from any grants or
 12 loans made under this subchapter. This paragraph does not apply to a person who
 13 is, or a family that includes a person who is disabled, as defined in s. 49.468 (1) (a)
 14 1., or is aged 62 or older.

15 (c) For purposes of determining eligibility for any assistance under this
 16 subchapter, an applicant's income includes the income of any person who is not
 17 related to the applicant who is living in the applicant's home at the time of the
 18 application.

19 (2) If the department determines it may not implement the limitations on
 20 eligibility and housing under sub. (1) without a waiver from the federal department
 21 of housing and urban development and that such a waiver may be requested under
 22 federal law, the department shall request a waiver. If a waiver that is consistent with
 23 sub. (1) is granted and in effect, the department shall implement the limitations on
 24 eligibility and housing under sub. (1). The department may not implement any



Ins A 484

1 limitation under sub. (1) for which a waiver is required unless a waiver as to that
2 limitation is granted and in effect.

3 **SECTION 6.** 16.303 (1) (a) of the statutes is amended to read:

4 16.303 (1) (a) Subject to sub. (2) and the limitations on eligibility and housing
5 under s. 16.3025, make grants or loans, directly or through agents designated under
6 s. 16.304, from the appropriation under s. 20.505 (7) (b) to persons or families of low
7 or moderate income to defray housing costs of the person or family.

8 **SECTION 7.** 16.305 (2) (d) of the statutes is created to read:

9 16.305 (2) (d) The department determines that the grant is consistent with and
10 will not be used in violation of the limitations on eligibility and housing under s.
11 16.3025.

12 **SECTION 8.** 16.306 (2) (a) of the statutes is amended to read:

13 16.306 (2) (a) From the appropriation under s. 20.505 (7) (fm), the department
14 may award a grant to an eligible applicant for the purpose of providing transitional
15 housing and associated supportive services to homeless individuals and families if
16 the conditions under ~~par.~~ pars. (b) and (c) are satisfied. The department shall ensure
17 that the funds for the grants are reasonably balanced among geographic areas of the
18 state, consistent with the quality of applications submitted.

19 **SECTION 9.** 16.306 (2) (c) of the statutes is created to read:

20 16.306 (2) (c) A recipient of a grant under par. (a) shall agree to comply with
21 the limitations on eligibility and housing for persons and families of low and
22 moderate income under s. 16.3025.

END INS A

INS B



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1 **SECTION 10.** 66.1204 of the statutes is created to read:

2 **66.1204 Limitations on eligibility.** (1) (a) In its role under 42 USC 1437f
3 as a public housing agency, as defined in 24 CFR 982.4 (b), an authority may not
4 provide assistance payments to any person unless the person satisfies one of the
5 following:

- 6 1. The person is disabled, as defined in s. 49.468 (1) (a) 1.
- 7 2. The person is age 62 or older.

8 (b) An authority shall ensure that all of the following requirements are
9 satisfied in connection with housing or housing assistance provided directly or
10 indirectly by the authority, or by a state public body with which it contracts, to any
11 person of low income:

12 1. Any housing provided to a person of low income is restricted to housing in
13 which the square footage is less than 50 percent of the average square footage for a
14 rental unit of average rental value in the county in which the person of low income
15 resides. To satisfy the requirements of this subdivision, the authority may require
16 that more than 2 unrelated persons of low income be housed in one housing unit. This
17 subdivision does not apply to a person who is disabled, as defined in s. 49.468 (1) (a)
18 1., or is aged 62 or older.

19 2. A person or family with assets that exceed \$2,000 in combined equity value
20 or with a vehicle having an equity value of \$10,000 or greater is not eligible for
21 housing or housing assistance under this subchapter. This subdivision does not
22 apply to a person who is disabled, as defined in s. 49.468 (1) (a) 1., or is aged 62 or
23 older.

24 3. For purposes of determining eligibility for any assistance under this
25 subchapter, an applicant's income includes the income of any person who is not

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Ins B 2012

1 related to the applicant who is living in the applicant's home at the time of the
2 application.

3 (2) If an authority determines it may not implement the limitations on
4 eligibility and housing under sub. (1) without a waiver from the federal department
5 of housing and urban development and that such a waiver may be requested under
6 federal law, the authority shall request a waiver. If a waiver that is consistent with
7 sub. (1) is granted and in effect, an authority shall implement the limitations on
8 eligibility and housing under sub. (1). An authority may not implement any
9 limitation under sub. (1) for which a waiver is required unless a waiver as to that
10 limitation is granted and in effect.

END INS B

INS C

1806
benefiting

11 **SECTION 11.** 234.03 (intro.) of the statutes is amended to read:

12 **234.03 Powers of authority.** (intro.) The Subject to the limitations on
13 eligibility for projects or programs and housing *benefiting* persons and families of
14 low and moderate income under s. 234.038, the authority shall have all the powers
15 necessary or convenient to implement this chapter, including the following powers
16 in connection with its projects or programs, in addition to all other powers granted
17 by this chapter:

18 **SECTION 12.** 234.038 of the statutes is created to read:

19 **234.038** *Limitations on eligibility for projects or programs and*
20 **housing benefiting persons and families of low and moderate income. (1)**

21 (a) In its role under 42 USC 1437f as a public housing agency, as defined in 24 CFR



Ins C 2006

1 982.4 (b), the authority may not provide assistance payments to any person unless
2 the person satisfies one of the following:

- 3 1. The person is disabled, as defined in s. 49.468 (1) (a) 1.
- 4 2. The person is aged 62 or older.

5 (b) The authority shall ensure that all of the following requirements are
6 satisfied in connection with housing or housing assistance provided directly or
7 indirectly by the authority or by an eligible sponsor, housing corporation, financial
8 institution, limited profit entity, or nonprofit corporation to persons and families of
9 low and moderate income:

10 1. Any housing provided to a person or family of low or moderate income is
11 restricted to housing in which the square footage is less than 50 percent of the
12 average square footage for a rental unit of average rental value in the county in which
13 the person or family resides. To satisfy the requirements of this subdivision, the
14 authority may require that more than 2 unrelated persons or families of low or
15 moderate income be housed in one housing unit. This subdivision does not apply to
16 a person who is or a family that includes a person who is disabled, as defined in s.
17 49.468 (1) (a) 1., or is aged 62 or older.

18 2. Except as provided in subd. 2. b., no person or family with assets that exceed
19 \$2,000 in combined equity value or with a vehicle having an equity value of \$10,000
20 or greater is eligible for housing or housing assistance under this chapter. This
21 subdivision does not apply to a person who is or a family that includes a person who
22 is disabled, as defined in s. 49.468 (1) (a) 1., or is aged 62 or older.

23 3. For purposes of determining eligibility for any assistance under this
24 subchapter, an applicant's income includes the income of any person who is not



Ins C 3076

1 related to the applicant who is living in the applicant's home at the time of the
2 application.

3 (2) If the authority determines it may not implement the limitations on
4 eligibility and housing under sub. (1) without a waiver from the federal department
5 of housing and urban development and that such a waiver may be requested under
6 federal law, the authority shall request a waiver. If a waiver that is consistent with
7 sub. (1) is granted and in effect, the authority shall implement the limitations on
8 eligibility and housing under sub. (1). The authority may not implement any
9 limitation under sub. (1) for which a waiver is required unless a waiver as to that
10 limitation is granted and in effect.

11 **SECTION 13.** 234.04 (1) of the statutes is amended to read:

12 234.04 (1) The Subject to the limitations on eligibility for projects or programs
13 and housing benefitting persons and families of low and moderate income under s.
14 234.038, the authority may make or participate in the making of construction loans
15 to eligible sponsors of housing projects for the construction or rehabilitation of
16 housing for persons and families of low and moderate income. Such loans shall be
17 made only upon the determination by the authority that construction loans are not
18 otherwise available from private lenders upon reasonably equivalent terms and
19 conditions.

20 **SECTION 14.** 234.04 (2) of the statutes is amended to read:

21 234.04 (2) The Subject to the limitations on eligibility for projects or programs
22 and housing benefitting persons and families of low and moderate income under s.
23 234.038, the authority may make or participate in the making and enter into
24 commitments for the making of long-term mortgage loans to eligible sponsors of
25 housing projects for occupancy by persons and families of low and moderate income,



Ins C 4576

1 or for the making of homeownership mortgage loans or housing rehabilitation loans
 2 or loans for the refinancing of qualified subprime loans under s. 234.592 to persons
 3 and families of low and moderate income, an applicant under s. 234.59 or 234.592,
 4 or other eligible beneficiaries as defined in s. 234.49. The loans may be made only
 5 upon the determination by the authority that they are not otherwise available from
 6 private lenders upon reasonably equivalent terms and conditions. The authority
 7 may not make a loan to a person whose name appears on the statewide support lien
 8 docket under s. 49.854 (2) (b), unless the person provides to the authority a payment
 9 agreement that has been approved by the county child support agency under s. 59.53
 10 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). The
 11 authority may employ, for such compensation as it determines, the services of any
 12 financial institution in connection with any loan.

13 **SECTION 15.** 234.04 (3) of the statutes is amended to read:

14 234.04 (3) The Subject to the limitations on eligibility for projects or programs
 15 and housing benefitting persons and families of low and moderate income under s.
 16 234.038, the authority may make or participate in the making and enter into
 17 commitments for the making of loans to any banking institution, savings bank,
 18 savings and loan association or credit union organized under the laws of this or any
 19 other state or of the United States having an office in this state, if the authority first
 20 determines that the proceeds of such loans will be utilized for the purpose of making
 21 long-term mortgage loans to persons or families of low and moderate income, or for
 22 the purpose of providing residential housing for occupancy by persons or families of
 23 low and moderate income, or for the purpose of making housing rehabilitation loans.

24 **SECTION 16.** 234.06 (1) of the statutes is amended to read:



Ins C 5876

1 234.06 (1) The Subject to the limitations on eligibility for projects or programs
 2 and housing benefitting persons and families of low and moderate income under s.
 3 234.038, the authority may, as authorized in the state housing strategy plan under
 4 s. 16.302, use the moneys held in the housing development fund to make temporary
 5 loans to eligible sponsors, with or without interest, and with such security for
 6 repayment, if any, as the authority determines reasonably necessary and
 7 practicable, solely from the housing development fund, to defray development costs
 8 for the construction of proposed housing projects for occupancy by persons and
 9 families of low and moderate income. No temporary loan may be made unless the
 10 authority may reasonably anticipate that satisfactory financing may be obtained by
 11 the eligible sponsor for the permanent financing of the housing project.

SECTION 17. 234.06 (3) of the statutes is amended to read:

12 234.06 (3) The Subject to the limitations on eligibility for projects or programs
 13 and housing benefitting persons and families of low and moderate income under s.
 14 234.038, the authority may, as authorized in the state housing strategy plan under
 15 s. 16.302, use the moneys held in the housing development fund to establish and
 16 administer programs of grants to counties, municipalities, and eligible sponsors of
 17 housing projects for persons of low and moderate income, to pay organizational
 18 expenses, administrative costs, social services, technical services, training expenses,
 19 or costs incurred or expected to be incurred by counties, municipalities, or sponsors
 20 for land and building acquisition, construction, improvements, renewal,
 21 rehabilitation, relocation, or conservation under a plan to provide housing or related
 22 facilities, if the costs are not reimbursable from other private or public loan, grant,
 23 or mortgage sources.

SECTION 18. 234.49 (2) (a) (intro.) of the statutes is amended to read:

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Ins C 6076

1 234.49 (2) (a) (intro.) The Subject to the limitations on eligibility for projects
2 or programs and housing benefitting persons and families of low and moderate
3 income under s. 234.038, the authority has the following powers for the purpose of
4 implementing this section, in addition to all other powers granted by this chapter:

5 **SECTION 19.** 234.59 (2) (intro.) of the statutes is amended to read:

6 234.59 (2) (POWERS AND DUTIES OF THE AUTHORITY) (intro.) The authority shall,
7 subject to the limitations on eligibility for projects or programs and housing
8 benefitting persons and families of low and moderate income under s. 234.038,
9 establish and administer a homeownership mortgage loan program to encourage
10 homeownership and to facilitate the acquisition or rehabilitation of eligible property
11 by applicants. To implement the program, the authority:

12 **SECTION 20.** 234.592 (2) (intro.) of the statutes is amended to read:

13 234.592 (2) (POWERS AND DUTIES OF THE AUTHORITY) (intro.) The authority shall,
14 subject to the limitations on eligibility for projects or programs and housing
15 benefitting persons and families of low and moderate income under s. 234.038,
16 establish and administer a qualified subprime loan refinancing program to
17 encourage homeownership and to facilitate the retention of eligible property by
18 applicants. To implement the program, the authority:

END INS C

INS D

1873

19 **SECTION 21. Initial applicability.**

20 ~~(1)~~ **ELIGIBILITY FOR LOW-INCOME ENERGY ASSISTANCE.** The treatment of section
21 16.27 (5) (intro.) and (5m) of the statutes first applies to the eligibility of households
22 applying for low-income energy assistance under section 16.27 (4) of the statutes on



Encl D 2 of 3

1 the effective date of this subsection or, if the department of administration
2 determines under section 16.27 (5m) (b) of the statutes, as created by this act, that
3 a federal waiver is needed, on the first day on which the waiver is granted and in
4 effect.

5 ~~(2)~~ ELIGIBILITY FOR HOUSING ASSISTANCE; DEPARTMENT OF ADMINISTRATION. The
6 treatment of sections 16.303 (1) (a), 16.3025, 16.305 (2) (d), and 16.306 (2) (a) and (c)
7 of the statutes first applies to housing, housing costs, utility-related costs, grants,
8 or loans provided, directly or indirectly, by the department of administration to
9 persons and families of low and moderate income on the effective date of this
10 subsection or, if the department of administration determines under section 16.3025
11 of the statutes, as created by this act, that a federal waiver is needed, on the first day
12 on which the waiver is granted and in effect.

13 ~~(3)~~ ELIGIBILITY FOR HOUSING ASSISTANCE; WISCONSIN HOUSING AND ECONOMIC
14 DEVELOPMENT AUTHORITY. The treatment of sections 234.03 (intro.), 234.038, 234.04
15 (1), (2), and (3), 234.06 (1) and (3), 234.49 (2) (a) (intro.), 234.59 (2) (intro.), and
16 234.592 (2) (intro.) of the statutes first applies to assistance payments, housing,
17 housing assistance, grants, or loans provided, directly or indirectly, by the Wisconsin
18 Housing and Economic Development Authority to persons and families of low and
19 moderate income on the effective date of this subsection or, if the Wisconsin Housing
20 and Economic Development Authority determines under section 234.038 (2) of the
21 statutes, as created by this act, that a federal waiver is needed, on the first day on
22 which the waiver is granted and in effect.

23 ~~(4)~~ ELIGIBILITY FOR HOUSING ASSISTANCE; LOCAL HOUSING AUTHORITIES. The
24 treatment of section 66.1204 of the statutes first applies to assistance payments,
25 housing, housing assistance, grants, or loans provided, directly or indirectly, by a

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Ins D 3073

1 housing authority created under subchapter XII of chapter 66 of the statutes to a
2 person of low income on the effective date of this subsection or, if such an authority
3 determines under section 66.1204 (2) of the statutes, as created by this act, that a
4 federal waiver is needed, on the first day on which the waiver is granted and in effect.

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State of Wisconsin
2013 - 2014 LEGISLATURE

By 1/27



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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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Insert MES relating clause

Insert GMM relating clause

Insert PG relating clause

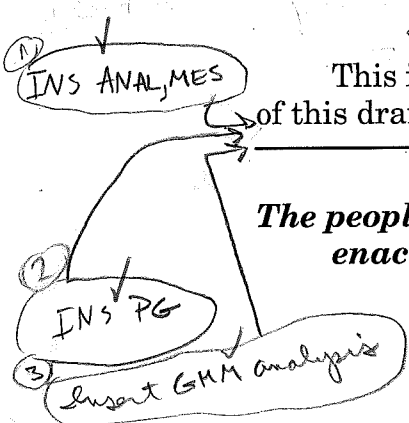
Insert FFK relating clause

1 AN ACT ... relating to: education and training under Wisconsin Works; reducing
2 Wisconsin Works benefits; eliminating Wisconsin Works grants for unmarried,
3 pregnant women at risk; a minimum copayment, maximum child care hours,
4 and reducing income based on marriage for eligibility under Wisconsin Shares;
5 changes to the food stamp program relating to financial eligibility for benefits,
6 allowing an election to reduce benefits, recouping unused benefits, and
7 prohibiting supplier discounts; prohibiting advertising concerning
8 means-tested public assistance on radio or television; requiring consideration
9 of the income and assets of all individuals in a household for purposes of
10 eligibility for any means-tested public assistance;

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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



Insert GMM TEXT →

1 SECTION 1. 49.143 (4m) of the statutes is created to read:

2 49.143 (4m) CASE MONITORING AUDITS. The department shall develop and
3 implement a case monitoring audit process to ensure that Wisconsin Works agencies
4 are adequately monitoring the activities of all participants.

5 SECTION 2. 49.147 (1m) (title) of the statutes is amended to read:

6 49.147 (1m) (title) ~~EDUCATIONAL NEEDS~~ EDUCATION AND TRAINING ASSESSMENT.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257; 2013 a. 20.

7 SECTION 3. 49.147 (1m) (a) of the statutes is renumbered 49.147 (1m) (a) 1. and
8 amended to read:

9 49.147 (1m) (a) 1. A Wisconsin Works agency shall conduct an educational
10 needs education and training assessment of each individual who applies for a
11 Wisconsin Works employment position. If the individual and the Wisconsin Works
12 agency determine that the individual needs, or would benefit from, education or
13 training activities, ~~including a course of study meeting the standards established~~
14 ~~under s. 115.29 (4) (a) for the granting of a declaration of equivalency of high school~~
15 ~~graduation to better prepare the individual for employment, if the Wisconsin Works~~
16 ~~agency determines under subd. 2. that the individual would likely be successful in~~
17 ~~education or training activities~~, and if the Wisconsin Works agency determines that
18 the individual is eligible for a Wisconsin Works employment position, the Wisconsin
19 Works agency shall include education or training activities specified in subd. 3. in
20 any employability plan developed for the individual.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257; 2013 a. 20.

21 SECTION 4. 49.147 (1m) (a) 2. of the statutes is created to read:

22 49.147 (1m) (a) 2. A Wisconsin Works agency shall determine whether an
23 individual would likely be successful in education or training activities on the basis
24 of the following factors:

- 1 a. Whether the individual has the ability to read and write.
- 2 b. Whether the individual is able to perform basic arithmetic functions.
- 3 c. Whether the individual is able to keep appointments on time.
- 4 d. Whether the individual has stable housing.
- 5 e. Whether the individual has ties to the local community.
- 6 f. Whether the individual has the support of his or her family.
- 7 g. The individual's general educational background.

8 **SECTION 5.** 49.147 (1m) (a) 3. of the statutes is created to read:

9 49.147 (1m) (a) 3. An individual may participate in education or training
10 activities for a total of no more than 18 months, which need not be consecutive, and,
11 if the individual is employed, only if his or her employer approves it. The department
12 shall specify the maximum time during which an individual may receive classroom
13 instruction as part of an individual's education or training activities. Education or
14 training activities in which the individual may participate include any of the
15 following determined appropriate for the individual by the Wisconsin Works agency
16 and the individual's employer, if any:

- 17 a. A course of study meeting the standards established under s. 115.29 (4) for
18 the granting of a declaration of equivalency of high school graduation.
- 19 b. Technical college courses and other educational courses that provide an
20 employment skill.
- 21 c. Employer-sponsored training.
- 22 d. English as a 2nd language courses.
- 23 e. Adult basic education courses.

24 **SECTION 6.** 49.147 (4) (am) of the statutes is amended to read:

SECTION 6

1 49.147 (4) (am) *Education or training activities.* A Subject to the requirements
2 under s. 49.147 (1m) (a), a participant under this subsection may be required to
3 participate in education and training activities assigned as part of an employability
4 plan developed by the Wisconsin works Works agency. The department shall
5 establish by rule permissible education and training under this paragraph, which
6 shall include a course of study meeting the standards established under s. 115.29 (4)
7 for the granting of a declaration of equivalency of high school graduation, technical
8 college courses, employer-sponsored training, and educational courses that provide
9 an employment skill. Permissible education under this paragraph shall also include
10 English as a 2nd language courses that the Wisconsin works agency determines
11 would facilitate an individual's efforts to obtain employment and adult basic
12 education courses education and training activities in which a participant may be
13 required to participate under this paragraph shall be those under s. 49.147 (1m) (a)
14 3. that the Wisconsin works Works agency determines would facilitate an the
15 individual's efforts to obtain employment.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257; 2013 a. 20.

16 **SECTION 7.** 49.147 (4) (as) of the statutes is amended to read:

17 49.147 (4) (as) *Required hours.* Except as provided in pars. (at) and (av) and
18 sub. (5m), a Wisconsin Works agency shall require a participant placed in a
19 community service job program to work in a community service job for the number
20 of hours determined by the Wisconsin Works agency to be appropriate for the
21 participant at the time of application or review and may require a participant to
22 participate in education or training activities for not more than ~~10~~ 8 hours per week,
23 except that the Wisconsin Works agency may not require a participant under this

1 subsection to spend more than 40 hours per week in combined activities under this
2 subsection.

3 **History:** 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257; 2013 a. 20.

3 **SECTION 8.** 49.147 (4) (av) of the statutes is amended to read:

4 49.147 (4) (av) *Education for 18-year-old and 19-year-old students.* A
5 Notwithstanding the requirements under s. 49.147 (1m) (a), a Wisconsin Works
6 agency shall permit a participant under this subsection who has not attained the age
7 of 20 and who has not obtained a high school diploma or a declaration of equivalency
8 of high school graduation to attend high school or, at the option of the participant,
9 to enroll in a course of study meeting the standards established under s. 115.29 (4)
10 for the granting of a declaration of equivalency of high school graduation to satisfy,
11 in whole or in part, the participation requirement under par. (as).

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257; 2013 a. 20.

***NOTE: Is this how you want the paragraph above amended?

12 **SECTION 9.** 49.147 (5) (bm) of the statutes is amended to read:

13 49.147 (5) (bm) *Education or training activities.* A Subject to the requirements
14 under s. 49.147 (1m) (a), a participant under this subsection may be required to
15 participate in education and training activities assigned as part of an employability
16 plan developed by the Wisconsin works Works agency. ~~The department shall~~
17 ~~establish by rule permissible education and training under this paragraph, which~~
18 ~~shall include a course of study meeting the standards established under s. 115.29 (4)~~
19 ~~for the granting of a declaration of equivalency of high school graduation, technical~~
20 ~~college courses, employer-sponsored training, and educational courses that provide~~
21 ~~an employment skill. Permissible education under this paragraph shall also include~~
22 ~~English as a 2nd language courses that the Wisconsin works agency determines~~
23 ~~would facilitate an individual's efforts to obtain employment and adult basic~~

1 ~~education courses~~ education and training activities in which a participant may be
2 required to participate under this paragraph shall be those under s. 49.147 (1m) (a)
3 3. that the Wisconsin ~~works~~ Works agency determines would facilitate ~~an~~ the
4 individual's efforts to obtain employment.

5 **History:** 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257; 2013 a. 20.

5 **SECTION 10.** 49.147 (5) (bs) of the statutes is amended to read:

6 49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),
7 a Wisconsin Works agency may require a participant placed in a transitional
8 placement to participate in education or training activities for not more than ~~12~~ 10
9 hours per week and to engage in activities under par. (b) 1., but may not require a
10 participant under this subsection to spend more than 40 hours per week in combined
11 activities under this subsection.

12 **History:** 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257; 2013 a. 20.

12 **SECTION 11.** 49.147 (5m) (a) (intro.) of the statutes is amended to read:

13 49.147 (5m) (a) (intro.) To the extent permitted under 42 USC 607, and except
14 as provided in par. (bL), notwithstanding the requirements under s. 49.147 (1m) (a),
15 a participant under sub. (4) or (5) may participate in a technical college education
16 program as part of a community service job placement or transitional placement if
17 all of the following requirements are met:

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257; 2013 a. 20.

****NOTE: Is this how you want the paragraph above amended or would you prefer
to repeal it?

18 **SECTION 12.** 49.147 (5m) (bL) of the statutes is amended to read:

19 49.147 (5m) (bL) A Notwithstanding the length of time specified in s. 49.147
20 (1m) (a) 3., a participant may participate under this subsection for the duration of
21 the technical college education program, except that the participant may not
22 participate under this subsection for more than 2 years.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257; 2013 a. 20.

****NOTE: Is this how you want the paragraph above amended?

1 **SECTION 13.** 49.148 (1) (b) 1. of the statutes, as affected by 2013 Wisconsin Act
2 20, is amended to read:

3 49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a
4 community service job under s. 49.147 (4), a monthly grant of ~~\$653~~ \$633. For every
5 hour that the participant misses work or education or training activities without
6 good cause, the grant amount shall be reduced by \$5. Good cause shall be determined
7 by the financial and employment planner in accordance with rules promulgated by
8 the department. Good cause shall include required court appearances for a victim
9 of domestic abuse. If a participant in a community service job under s. 49.147 (4) is
10 required to work fewer than 30 hours per week because the participant has
11 unsubsidized employment, as defined in s. 49.147 (1), the grant amount under this
12 paragraph shall equal the amount specified under subd. 1m. minus \$5 for each hour
13 that the participant misses work or education or training activities without good
14 cause.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32, 257; 2013 a. 20; s. 13.92 (2) (i).

15 **SECTION 14.** 49.148 (1) (b) 1m. d. of the statutes is amended to read:

16 49.148 (1) (b) 1m. d. For a participant placed in a community service job for
17 more than 20 hours per week, ~~\$653~~ \$633.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32, 257; 2013 a. 20; s. 13.92 (2) (i).

18 **SECTION 15.** 49.148 (1) (b) 3. of the statutes, as affected by 2013 Wisconsin Act

19 20, is amended to read:

20 49.148 (1) (b) 3. For a participant in a community service job who participates
21 in technical college education under s. 49.147 (5m), a monthly grant of ~~\$653~~ \$633.
22 For every hour that the participant misses work or other required activities without
23 good cause, the grant amount shall be reduced by \$5. Good cause shall be determined

1 by the financial and employment planner in accordance with rules promulgated by
2 the department. Good cause shall include required court appearances for a victim
3 of domestic abuse.

4 **History:** 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32, 257; 2013 a. 20; s. 13.92 (2) (i).

SECTION 16. 49.148 (1) (c) of the statutes, as affected by 2013 Wisconsin Act 20,

5 is amended to read:

6 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
7 placement under s. 49.147 (5) or in a transitional placement and in technical college
8 education under s. 49.147 (5m), a monthly grant of ~~\$608~~ \$588. For every hour that
9 the participant fails to participate in any required activity without good cause,
10 including any activity under s. 49.147 (5) (b) 1. a. to d., the grant amount shall be
11 reduced by \$5. Good cause shall be determined by the financial and employment
12 planner in accordance with rules promulgated by the department. Good cause shall
13 include required court appearances for a victim of domestic abuse.

14 **History:** 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32, 257; 2013 a. 20; s. 13.92 (2) (i).

SECTION 17. 49.148 (1m) (title) of the statutes is amended to read:

15 49.148 (1m) (title) CUSTODIAL PARENT OF INFANT; ~~UNMARRIED, PREGNANT WOMAN.~~

16 **History:** 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32, 257; 2013 a. 20; s. 13.92 (2) (i).

SECTION 18. 49.148 (1m) (a) (intro.) of the statutes is repealed.

17 **SECTION 19.** 49.148 (1m) (a) 1. of the statutes is renumbered 49.148 (1m) (am)

18 and amended to read:

19 49.148 (1m) (am) A custodial parent of a child 8 weeks old or less who meets
20 the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant
21 of \$653, unless another adult member of the custodial parent's Wisconsin Works
22 group is participating in, or is eligible to participate in, a Wisconsin Works
23 employment position or is employed in unsubsidized employment, as defined in s.
24 49.147 (1).

1 (NOTE: NOTE: NOTE: Subd. 1. is shown as affected by 2011 Wis. Acts 32 and 257 and as merged by the legislative reference bureau under s. 13.92 (2) (i).NOTE:

2 History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32, 257; 2013 a. 20; s. 13.92 (2) (i).

3 **SECTION 20.** 49.148 (1m) (a) 2. of the statutes is repealed.

4 **SECTION 21.** 49.148 (1m) (c) 1. of the statutes is amended to read:

5 49.148 (1m) (c) 1. Receipt of a grant under this subsection by a participant
6 under ~~par. (a) 1.~~ does not constitute participation in a Wisconsin Works employment
7 position if the child is born to the participant not more than 10 months after the date
8 that the participant was first determined to be eligible for assistance under s. 49.19
or for a Wisconsin Works employment position.

9 History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32, 257; 2013 a. 20; s. 13.92 (2) (i).

10 **SECTION 22.** 49.148 (1m) (c) 2. of the statutes is amended to read:

11 49.148 (1m) (c) 2. Receipt of a grant under this subsection by a participant
12 under ~~par. (a) 1.~~ constitutes participation in a Wisconsin Works employment position
13 if the child is born to the participant more than 10 months after the date that the
14 participant was first determined to be eligible for assistance under s. 49.19 or for a
15 Wisconsin Works employment position unless the child was conceived as a result of
16 a sexual assault in violation of s. 940.225 (1), (2), or (3) in which the mother did not
17 indicate a freely given agreement to have sexual intercourse or in violation of s.
18 948.02 or 948.025 or as a result of incest in violation of s. 944.06 or 948.06 and that
19 incest or sexual assault has been reported to a physician and to law enforcement
authorities.

20 History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32, 257; 2013 a. 20; s. 13.92 (2) (i).

21 **SECTION 23.** 49.148 (1m) (c) 3. of the statutes is repealed.

22 **SECTION 24.** 49.148 (5) of the statutes is created to read:

23 49.148 (5) BONUS PROHIBITED. The department or a Wisconsin Works agency
24 may not pay a bonus or other monetary reward to a participant for remaining at a
job for a particular length of time.

1 **SECTION 25.** 49.155 (1m) (c) 4. of the statutes is created to read:

2 49.155 (1m) (c) 4. If the individual is married, gross income shall be reduced
3 by \$20,000 before gross income as a percentage of the poverty line is calculated under
4 subd. 1., 1g., 1m., 2., or 3.

5 **SECTION 26.** 49.155 (5) (a) of the statutes, as affected by 2013 Wisconsin Act 20,
6 is amended to read:

7 49.155 (5) (a) An individual receiving a subsidy under this section is liable for
8 the difference, if any, between the cost of the child care provided by the child care
9 provider or providers selected by the individual and the subsidy amount, except that
10 the department shall require a minimum copayment of \$2 per hour of child care per
11 child. The department shall specify minimum or estimated copayment amounts
12 based on family size, income level, and other factors, a schedule of which will be
13 available in electronic form on the department's Internet site and in paper form.

History: 1995 a. 289; 1997 a. 27, s. 1766 to 1775, 1838 to 1857; 1997 a. 41, 105, 237, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 165; 2007 a. 20; 2009 a. 28, 76, 77, 185; 2011 a. 32, 120, 158, 202; 2013 a. 20, 113.

14 **SECTION 27.** 49.159 (4) of the statutes is amended to read:

15 49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically
16 verified, and who would be eligible under s. 49.145 except that she is not a custodial
17 parent of a dependent child, ~~and who does not satisfy the requirements under s.~~
18 ~~49.148 (1m) (a) 2.~~ is eligible for employment training and job search assistance
19 services provided by the Wisconsin Works agency.

History: 1995 a. 289; 1997 a. 27; 2009 a. 28; 2011 a. 32; 2013 a. 20.

20 **SECTION 28.** 49.79 (1m) of the statutes is created to read:

21 49.79 (1m) FINANCIAL ELIGIBILITY. (a) A household of one or more individuals
22 is not eligible to receive food stamp benefits under this section unless all of the
23 following apply:

Insert 10-13

1 1. Subject to par. (b), the gross income of the household does not exceed 130
2 percent of the poverty line.

3 2. Subject to (b), the net income of the household does not exceed 100 percent
4 of the poverty line.

5 3. Except as provided in subd. 4., the household does not have countable assets
6 of more than \$2,000 in value.

7 4. If the household includes an individual who is 60 years of age or older, an
8 individual who is blind, or an individual who is disabled, the household does not have
9 countable assets of more than \$3,200 in value.

10 (b) If the household includes a married couple, the household's gross income
11 and net income shall be reduced by \$15,000 before the calculations are made under
12 par. (a) 1. and 2.

13 **SECTION 29.** 49.79 (7c) of the statutes is created to read:

14 49.79 (7c) NO ONLINE APPLICATIONS. The department may not allow or accept
15 online applications for benefits under this section. Any person who seeks benefits
16 under this section must apply to the department or its designated agent in person.

17 **SECTION 30.** 49.79 (7m) of the statutes is created to read:

18 49.79 (7m) REDUCTION IN, AND RECOUPMENT OF, BENEFITS. To the extent
19 permitted under federal law, the department shall implement a system for
20 distributing benefits under this section that does all of the following:

21 (a) Allows an individual who is an applicant or recipient to elect to receive food
22 stamp benefits in an amount that is less than the amount for which the individual
23 or the individual's household is eligible.

1 (b) Recoups after the end of each month benefits received for that month that
2 were not used in that month. The department shall use the amount of unused
3 benefits recouped under this paragraph to provide benefits under this section.

4 **SECTION 31.** 49.79 (10) of the statutes is created to read:

5 49.79 (10) DISCOUNTS PROHIBITED. No supplier, as defined in s. 49.795 (1) (d),
6 may offer or provide a discount on the cost of food or other items that may be
7 purchased with food stamp benefits by reason of the use of food stamp benefits to
8 purchase the food or other items.

9 **SECTION 32.** 49.823 of the statutes is created to read:

10 **49.823 Determination of income and assets.** (1) In this section,
11 “means-tested public assistance” means any services, benefits, or other assistance
12 that is provided to individuals or families under this chapter and for which income
13 or assets is a factor in determining eligibility.

14 (2) Notwithstanding any provision in this chapter to the contrary and to the
15 extent permitted under federal law, when determining an individual’s or a family’s
16 eligibility for any ^Smean-tested public assistance, the department of health services
17 or the department of children and families shall take into consideration the income
18 or assets, as the case may be, of every individual who resides in the individual’s or
19 family’s household.

****NOTE: You may need to define “household” for purposes of this subsection.
There are a number of definitions in current law. See ss. 16.27 (1) (c), 66.1105 (2) (bq),
71.07 (3m) (a) 5. and (5m) (a) 3., 71.28 (2m) (a) 5., 71.47 (2m) (a) 5., 71.52 (4), 71.58 (5),
71.613 (1) (ge), and 287.17 (1) (h).

****NOTE: Do you want to specify particular programs that this provision would
apply to? As currently drafted, it applies to all programs in ch. 49, including Medical
Assistance. The federal programs may have eligibiilty requirements that are in conflict
with this provision.

1 (3) If the department of health services or the department of children and
 2 families determines that it may not without a waiver from the federal government
 3 implement the requirement under sub. (2) with respect to any program administered
 4 by that department that provides mean-tested public assistance and that such a
 5 waiver may be requested under federal law, the department of health services or the
 6 department of children and families shall request a waiver from the appropriate
 7 federal agency. If such a waiver is requested with respect to a program, the
 8 department requesting the waiver may not implement the requirement under sub.
 9 (2) with respect to the program unless the waiver is granted and in effect.

10 **SECTION 33.** 49.97 of the statutes is created to read:

11 **49.97 Prohibition on advertising.** (1) In this section, "means-tested public
 12 assistance" means any services, benefits, or other assistance that is provided to
 13 individuals or families under this chapter and for which income or assets is a factor
 14 in determining eligibility.

15 (2) The department of health services and the department of children and
 16 families may not by radio or television advertise the availability of, or provide any
 17 other information concerning, means-tested public assistance.

18 **SECTION 34. Initial applicability.**

19 (1) WISCONSIN SHARES ELIGIBILITY. The treatment of section 49.155 (1m) (c) 4.
 20 of the statutes first applies to eligibility and continued eligibility determinations
 21 that are made on the effective date of this subsection.

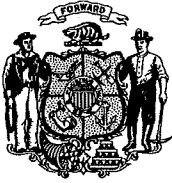
22 (2) FOOD STAMP ELIGIBILITY. The treatment of section 49.79 (1m) of the statutes
 23 first applies to eligibility and continued eligibility determinations that are made on
 24 the effective date of this subsection.

Insert 13-18
 Insert 13-19
 Insert 13-20
 Insert 13-21
 Insert 13-22
 Insert 13-23
 Insert 13-24
 Insert 13-25

25
 Insert 13-25
 Insert 13-24

(END)

D-note



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1904/1
PK/FK/MS/PG/GM:kjf:jm

2013 BILL

PG relating
clause insert

9

1 AN ACT *to repeal* 49.148 (4), 49.79 (1) (a) and 49.79 (5); *to amend* 16.27 (5)
2 (intro.), 16.303 (1) (a), 16.306 (2) (a), 39.435 (4) (a), 39.44 (3) (a), 49.155 (5),
3 49.155 (6g) (a) 2., 49.155 (6g) (a) 3., 49.471 (11c), 49.795 (8) (a) (intro.), 49.795
4 (8) (b) (intro.), 49.795 (8) (c), 71.05 (23) (b) 2., 118.60 (2) (a) 1. a., 119.23 (2) (a)
5 1. a., 234.03 (intro.), 234.04 (1), 234.04 (2), 234.04 (3), 234.06 (1), 234.06 (3),
6 234.49 (2) (a) (intro.), 234.59 (2) (intro.) and 234.592 (2) (intro.); and *to create*
7 16.27 (5m), 16.303 (2m), 16.305 (2) (d), 16.306 (2) (c), 36.11 (58), 39.435 (4) (b),
8 49.155 (6g) (a) 5., 49.471 (11c), 49.79 (7m), 49.79 (10), 49.795 (6m), 49.795 (8)
9 (g), 49.842, 66.1204, 71.07 (9e) (h) and 234.038 of the statutes; **relating to:**
10 authorized foods under the food stamp program; a deductible and coinsurance
11 under BadgerCare Plus; a minimum copayment and maximum child care hours
12 under Wisconsin Shares; citizenship and drug testing for eligibility for public
13 assistance; ~~eliminating~~ income eligibility requirements for enrollment in a
14 private school participating in a Parental Choice Program; changing eligibility

the school lunch program;

BILL

INS PG 1 of 2

expenses for persons whose estates are insufficient to pay those expenses; the program that reimburses persons infected with human immunodeficiency virus (HIV) for the cost of the drug azidothymidine (AZT); and the disease aids program that provides assistance in paying the costs of medical treatment for eligible persons with cystic fibrosis, hemophilia, or chronic renal disease.

Drug testing for public assistance

Under current law, as a condition of eligibility for a W-2 employment position, an individual must state in writing whether he or she has been convicted in any state or federal court of a felony that has as an element possession, use, or distribution of a controlled substance. Also under current law, if an individual in a W-2 community service job or transitional placement was convicted after a specified date in any state or federal court of a felony that has as an element possession, use, or distribution of a controlled substance, the individual must submit to a test for use of a controlled substance. If the test results are positive, the individual's benefit is reduced for at least 12 months, and the W-2 agency may require the individual to participate in a drug abuse evaluation, assessment, and treatment program.

Also under current law, an applicant for or recipient under the food stamp program must state in writing whether he or she or any member of his or her household has been convicted in any state or federal court of a felony that has as an element possession, use, or distribution of a controlled substance. If an applicant or recipient or household member was convicted after a specified date in any state or federal court of a felony that has as an element possession, use, or distribution of a controlled substance, the applicant, recipient, or household member must submit to a test for use of a controlled substance for continued eligibility. If the test results are positive, DHS may not consider that individual's needs in determining the household's eligibility for food stamps for at least 12 months but must consider that individual's income and resources to be available to the household.

Except for the requirement that an applicant for a W-2 employment position state whether he or she has been convicted of an offense related to a controlled substance, this bill eliminates those controlled substance conviction and testing requirements and replaces them with a requirement that applies to all assistance programs. Under the bill, to the extent permitted under federal law if there are any conflicting provisions, as a condition of eligibility or continued eligibility for any assistance program an individual must submit to a test for the use of a controlled substance. If the test results are positive, the individual is ineligible for the assistance program for which he or she is applying or in which he or she is participating, but may apply at any time thereafter for the same or another assistance program.

Parental Choice Program pupil eligibility

Under the Parental Choice Programs, a pupil who is a member of a family that has a total family income that does not exceed 3.0 times the poverty level may attend a private school at state expense under certain conditions. ~~This bill eliminates as a condition for participating in a parental choice program the requirement that a pupil be a member of a family with limited family income.~~

Department of Revenue must first deduct \$7,000. This bill increases the deduction to \$30,000.

when verifying income, the a family's



INS PG cont'd 2/2
 anal: title: sub-sub

(i) School lunch program

✓ At This bill prohibits a school board
 to a pupil's parent or guardian
 from providing ~~in any school year~~ more than
 two notices describing eligibility criteria for
 the School Lunch Program in any school year.

(end of INS PG)

BILL

SECTION 9

1 except as provided in par. (b), is consistent with generally accepted definitions and
2 nationally approved needs analysis methodology.

3 **SECTION 10.** 39.435 (4) (b) of the statutes is created to read:

4 39.435 (4) (b) In determining the expected parental contribution for a student
5 under 22 years of age who is a dependent of his or her parents, the board shall include
6 in the parental income and assets that are available for that contribution the income
7 and assets of both of the student's parents.

8 **SECTION 11.** 39.44 (3) (a) of the statutes is amended to read:

9 39.44 (3) (a) Award grants to eligible students on the basis of financial need.
10 In calculating financial need, the institution or school shall determine the expected
11 contributions of a student and his or her parents using the same analysis as that used
12 by the board to determine those contributions for purposes of awarding Wisconsin
13 higher education grants under s. 39.435.

14 **SECTION 12.** 49.148 (4) of the statutes is repealed.

15 **SECTION 13.** 49.155 (5) of the statutes is amended to read:

16 49.155 (5) LIABILITY FOR PAYMENT. An individual is liable for the percentage of
17 the cost of the child care specified by the department in a printed copayment
18 schedule, except that the department shall require a minimum copayment of \$2 per
19 hour of child care per child. An individual who is under the age of 20 and is attending
20 high school or participating in a course of study meeting the standards established
21 under s. 115.29 (4) for the granting of a declaration of equivalency to high school
22 graduation may not be determined liable for more than the minimum copayment
23 amount for the type of child care received and the number of children receiving child
24 care.

25 **SECTION 14.** 49.155 (6g) (a) 2. of the statutes is amended to read:

✓ insert 10-13
192

BILL*Insert 10-13 cont'd 2012*

1 49.155 (6g) (a) 2. Except as provided in subd. 3., and subject to subd. 5., the
2 department shall authorize no more than 12 hours of child care per day per child.

3 **SECTION 15.** 49.155 (6g) (a) 3. of the statutes is amended to read:

4 49.155 (6g) (a) 3. The Subject to subd. 5., the department may authorize more
5 than 12 hours, not exceeding 16 hours, of child care per day for a child whose parent
6 provides written documentation of work or transportation requirements that exceed
7 12 hours in a day.

8 **SECTION 16.** 49.155 (6g) (a) 5. of the statutes is created to read:

9 49.155 (6g) (a) 5. The department may not authorize more than 40 hours of
10 child care per week for a child.

(end of ins 10-13)
11 **SECTION 17.** 49.471 (11c) of the statutes is created to read:

12 49.471 (11c) DEDUCTIBLE AND COINSURANCE. Notwithstanding subs. (10) and
13 (11), and notwithstanding any conflicting provision in a policy created under s. 49.45
14 (2m) (c), if any, the department shall require an annual deductible of \$500 per family
15 for services provided under BadgerCare Plus and coinsurance of at least 5 percent
16 of the cost of services received after the deductible has been paid. If the department
17 determines that it needs a waiver or approval of an amendment to the state Medical
18 Assistance plan to require the deductible and coinsurance payments under this
19 subsection, the department shall request a waiver from, or submit a state plan
20 amendment to, the secretary of the federal department of health and human services
21 and may not impose the deductible and coinsurance requirements under this
22 subsection unless the waiver is granted and in effect or the state plan amendment
23 is approved.

24 **SECTION 18.** 49.471 (11c) of the statutes, as created by 2013 Wisconsin Act
25 (this act), is amended to read:

Insert

MES, relating clause insert:

prohibiting new claims under the earned income tax credit; limiting eligibility for the homestead tax credit;

INS ANL, MES

Taxation

Under federal law, the earned income tax credit (EITC) is a refundable tax credit for low-income workers. If the amount of the claim exceeds the worker's tax liability, the claimant receives a check for the excess amount from the Internal Revenue Service. The amount of the credit for which a claimant is eligible is based, in part, on whether the claimant has no qualifying children, one qualifying child, or more than one qualifying child.

Under current law, the refundable Wisconsin EITC may be claimed in an amount equal to a certain percentage of the federal basic EITC. To be eligible for the Wisconsin EITC, an individual must have one or more qualifying children. The Wisconsin EITC is equal to 4 percent of the federal credit if the claimant has one qualifying child, 11 percent of the federal credit if the claimant has two qualifying children, and 34 percent of the federal credit if the claimant has three or more qualifying children.

Under this bill, no new claims under the Wisconsin EITC may be filed for a taxable year that begins after December 31, 2014.

Under current law, the homestead tax credit may be claimed by an individual who is at least 18 years of age and who is not, in general, claimed as a dependent for federal income tax purposes in the year to which the claim relates. Under this bill, for claims filed for taxable years that begin after December 31, 2014, a claimant must be at least 55 years old to claim the homestead tax credit.

INS MES 102

SECTION 1. 71.07 (9e) (h) of the statutes is created to read:

71.07 (9e) (h) For taxable years beginning after December 31, 2014, no new claims for a credit under this subsection may be filed.

INS MES

SECTION 2. 71.53 (2) (c) of the statutes is amended to read:

INSMES cont'd 2/2

71.53 (2) (c) ~~The~~ Except as provided in par. (g), the claimant was under 18 years of age at the close of the year to which the claim relates.

History: 1987 a. 312; 1989 a. 31, 198; 1991 a. 39; 1999 a. 150 s. 672.

SECTION 3. 71.53 (2) (g) of the statutes is created to read:

✓

71.53 (2) (g) For claims filed for taxable years beginning after December 31, 2014, the claimant was under 55 years of age at the close of the year to which the claim relates.

****NOTE: Your instructions state that you'd like to include child support in the definition of income for calculating eligibility for the homestead tax credit. I think this is already the case under the current law definition of "income" in s. 71.52 (6), which states, in part: "(6) "Income" means the sum of Wisconsin adjusted gross income and the following amounts, to the extent not included in Wisconsin adjusted gross income: maintenance payments (except foster care maintenance and supplementary payments excludable under section 131 of the internal revenue code), **support money**," so I did not amend this definition.

(and INSMES)

Insert 13-17 1875

SEC. # CR, 115.34 (3)
B

115.34 (3) A school board may not

provide ~~more than 2 notices~~ to a pupil's parent

or guardian more than 2 notices ~~in any school~~

Q ~~year~~ that describe the eligibility criteria for the school lunch program.

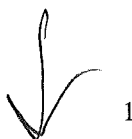
in any school year.

Insert 13-17 ^{could} 2005

Section #. 118.60 (2) (a) 1. b. of the statutes is amended to read:

✓ 118.60 (2) (a) 1. b. The private school submits to the department of public instruction the names, addresses, social security numbers, and other state and federal tax identification numbers, if any, of the pupil's parents or legal guardians that reside in the same household as the pupil, whether and to whom the parents or legal guardians are married, the names of all of the other members of the pupil's family residing in the same household as the pupil, and the school year for which family income is being verified under this subd. 1. b. The department of revenue shall review the information submitted under this subd. 1. b. and shall verify the eligibility or ineligibility of the pupil to participate in the program under this section on the basis of family income. In this subdivision, "family income" means federal adjusted gross income of the parents or legal guardians residing in the same household as the pupil for the tax year preceding the school year for which family income is being verified under this subd. 1. b. or, if not available, for the tax year preceding the tax year preceding the school year for which family income is being verified under this subd. 1. b. Family income for a family in which the pupil's parents are married or in which the pupil's legal guardians are married shall be reduced by ~~\$7,000~~ before the verification is made under this subd. 1. b. The department of revenue may take no other action on the basis of the information submitted under this subd. 1. b. If the department of revenue is unable to verify family income or to verify whether the pupil is eligible or ineligible to participate in the program under this section on the basis of family income, the department of revenue shall notify the department of public instruction of this fact and the department of public instruction shall utilize an alternative process, to be established by the department of public instruction, to determine whether the pupil is eligible to participate in the program under this section on the basis of family income. The department of public instruction may not request any additional verification of income from the family of a pupil once the department of revenue has verified

\$30,000



Insert 13-17 contd

3885

that the pupil is eligible to participate in the program under this section on the basis of family income. The department of public instruction shall establish a procedure for determining family income eligibility for those pupils for whom no social security number or state or federal tax identification number has been provided.

History: 2011 a. 32, 47, 215; 2013 a. 20; s. 35.17 corrections in (3) (a) (intro.), (4) (d) (intro.).

✓



Insert 13-17 cont'd 4035

Section #. 119.23 (2) (a) 1. b. of the statutes is amended to read:

119.23 (2) (a) 1. b. The private school submits to the department of public instruction the names, addresses, social security numbers, and other state and federal tax identification numbers, if any, of the pupil's parents or legal guardians that reside in the same household as the pupil, whether and to whom the parents or legal guardians are married, the names of all of the other members of the pupil's family residing in the same household as the pupil, and the school year for which family income is being verified under this subd. 1. b. The department of revenue shall review the information submitted under this subd. 1. b. and shall verify the eligibility or ineligibility of the pupil to participate in the program under this section on the basis of family income. In this subdivision, "family income" means federal adjusted gross income of the parents or legal guardians residing in the same household as the pupil for the tax year preceding the school year for which family income is being verified under this subd. 1. b. or, if not available, for the tax year preceding the tax year preceding the school year for which family income is being verified under this subd. 1. b. Family income for a family in which the pupil's parents are married or in which the pupil's legal guardians are married shall be reduced by ~~\$7,000~~ before the verification is made under this subd. 1. b. ^{\$30,000} The department of revenue may take no other action on the basis of the information submitted under this subd. 1. b. If the department of revenue is unable to verify family income or to verify whether the pupil is eligible or ineligible to participate in the program under this section on the basis of family income, the department of revenue shall notify the department of public instruction of this fact and the department of public instruction shall utilize an alternative process, to be established by the department of public instruction, to determine whether the pupil is eligible to participate in the program under this section on the basis of family income. The department of public instruction may not request any additional verification of income from the family of a pupil once the department of revenue has verified

Insert 13-17 cont'd 5/85

that the pupil is eligible to participate in the program under this section on the basis of family income. The department of public instruction shall establish a procedure for determining family income eligibility for those pupils for whom no social security number or state or federal tax identification number has been provided.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8, 20; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

(end of insert 13-17)

✓

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3902/1insgm
GMM.....

(INSERT GMM RELATING CLAUSE)

1 elimination of certain grant programs administered by the Higher
2 Educational Aids Board and transfer of the unencumbered balances in the
3 appropriations for those programs to the University of Wisconsin System for the
4 purpose of tuition reduction ⁱ consideration of the income and assets of both parents
5 of a student under 22 years of age for purposes of awarding a grant or scholarship
6 to such a student and the permissible uses of grant or scholarship moneys awarded ^g ↓

(END OF INSERT)

(INSERT GMM TEXT) 1075 4

7 SECTION 1. 5.02 (6m) (f) of the statutes is amended to read:

8 5.02 (6m) (f) An unexpired identification card issued by a university or college
9 in this state that is accredited, as defined in s. 39.30 (1) (d), 2013 stats., that contains
10 the date of issuance and signature of the individual to whom it is issued and that
11 contains an expiration date indicating that the card expires no later than 2 years
12 after the date of issuance if the individual establishes that he or she is enrolled as
13 a student at the university or college on the date that the card is presented.

14 SECTION 2. 20.235 (1) (b) of the statutes is repealed.

15 SECTION 3. 20.235 (1) (fd) of the statutes is repealed.

16 SECTION 4. 20.235 (1) (fe) of the statutes is repealed.

17 SECTION 5. 20.235 (1) (ff) of the statutes is repealed.

18 SECTION 6. 20.235 (1) (fg) of the statutes is repealed.

19 SECTION 7. 20.235 (1) (fj) of the statutes is repealed.

20 SECTION 8. 20.235 (1) (gm) of the statutes is repealed.

21 SECTION 9. 20.235 (1) (k) of the statutes is repealed.



Insert GMM TEXT cont'd 2874

1 **SECTION 10.** 20.235 (1) (ke) of the statutes is repealed.

2 **SECTION 11.** 20.235 (1) (km) of the statutes is repealed.

3 **SECTION 12.** 20.505 (8) (hm) 4i. of the statutes is repealed.

4 **SECTION 13.** 20.505 (8) (hm) 10. of the statutes is repealed.

5 **SECTION 14.** 36.11 (6) (c) of the statutes is repealed.

6 **SECTION 15.** 36.11 (58) of the statutes is created to read:

7 **36.11 (58)** The board may not award a scholarship that is based in whole or in
8 part on financial need to any student under the age of 22 who is a dependent of his
9 or her parents unless the board's calculation of financial need includes consideration
10 of the income and assets of both of the student's parents. Scholarship moneys
11 awarded by the board may be used only for tuition, fees, books, and educational
12 supplies.

13 **SECTION 16.** 36.25 (49) of the statutes is amended to read:

14 **36.25 (49)** ACADEMIC FEE INCREASE GRANTS. The board may make grants to
15 resident undergraduate students ~~who do not receive grants under s. 39.435 that are~~
16 ~~payable from the appropriation under s. 20.235 (1) (fe),~~ whose annual family income
17 is less than \$60,000, and who have unmet financial need. Beginning in fiscal year
18 2011-12, the board may make a grant under this subsection only to those students
19 enrolled in the system during fiscal year 2010-11 who maintain continuous
20 enrollment. A grant to a student under this subsection shall be in an amount
21 determined by the board that corresponds to any increase, or any portion of an
22 increase, in academic fees charged to the student, but may not exceed the amount of
23 the student's unmet need. The board may not make a grant under this subsection
24 to a student whose name appears on the statewide support lien docket under s.
25 49.854 (2) (b), unless the student provides to the board a payment agreement that

↓

Insert GMM TEXT coded 304

1 has been approved by the county child support agency under s. 59.53 (5) and that is
2 consistent with rules promulgated under s. 49.858 (2) (a).

3 **SECTION 17.** 38.04 (7m) of the statutes is repealed.

4 **SECTION 18.** 39.28 (7) of the statutes is created to read:

5 39.28 (7) The board may not provide any state financial assistance under this
6 subchapter that is based in whole or in part on financial need to any student under
7 the age of 22 who is a dependent of his or her parents unless the board's calculation
8 of financial need includes consideration of the income and assets of both of the
9 student's parents. Moneys awarded under this subchapter may be used only for
10 tuition, fees, books, and educational supplies.

✓ 11 **SECTION 19.** 39.285 of the statutes is repealed.

12 **SECTION 20.** 39.30 of the statutes is repealed.

13 **SECTION 21.** 39.31 of the statutes is repealed.

14 **SECTION 22.** 39.38 of the statutes is repealed.

15 **SECTION 23.** 39.435 of the statutes is repealed.

16 **SECTION 24.** 39.44 of the statutes is repealed.

17 **SECTION 25.** 39.45 (1) (a) of the statutes is amended to read:

18 39.45 (1) (a) "Institution of higher education" means a public or private
19 nonprofit educational institution meeting the requirements of s. 39.30, 2013 stats.,
20 or s. 39.435, 2013 stats., for the purpose of awarding grants under those sections.

History: 1989 a. 336; 1995 a. 27; 1997 a. 27.

History: 1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109; 2003 a. 24, 265; 2005 a. 177, 451; 2007 a. 1; 2009 a. 397; 2011 a. 23, 32, 45, 75.

History: 1973 c. 333 ss. 68, 201f (2); 1973 c. 335; 1975 c. 39, 339, 408 Supp.; 1975 c. 430 s. 80; 1977 c. 26, 29; 1977 c. 418 ss. 271 to 273, 924 (18) (e), (50); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34; 1979 c. 90 s. 23; 1979 c. 177; 1981 c. 20, 93, 237, 314, 346; 1983 a. 27, 387, 524; 1983 a. 538 s. 271; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (1); 1987 a. 27, 186, 399, 403; 1989 a. 31, 56, 249, 299, 325, 335, 353, 359; 1991 a. 32, 39, 167, 269; 1993 a. 16, 27, 399, 455; 1995 a. 27 ss. 1767 to 1775k, 9116 (5), 9126 (19), 9145 (1); 1995 a. 54, 101, 216, 225, 227, 378, 404, 417; 1997 a. 27 ss. 1163 to 1168k, 9456 (3m); 1997 a. 164, 178; 1997 a. 237 ss. 82v, 722s; 1997 a. 283; 1999 a. 9; 2001 a. 16, 103, 109; 2003 a. 33 ss. 933 to 935, 2811; 2003 a. 48 ss. 10, 11; 2003 a. 61; 2003 a. 206 s. 23; 2005 a. 25 ss. 696, 697, 2493; 2005 a. 404; 2007 a. 20 ss. 732t, 732x, 9121 (6) (a); 2007 a. 208; 2009 a. 28, 180, 185, 265, 271; 2011 a. 10; 2011 a. 32; 2011 a. 260 s. 80; 2013 a. 20.

21 **SECTION 26.** 39.45 (1) (b) of the statutes is amended to read:



Insert GMM TEXT cont'd 4 of 4

1 39.45 (1) (b) "Resident student" has the meaning specified in s. 39.30 (1) (e),
2 2013 stats. *(end of insert GMM TEXT)*

3 History: 1989 a. 336; 1995 a. 27; 1997 a. 27.

SECTION 27. 944.21 (8) (b) 4. of the statutes is amended to read:

4 944.21 (8) (b) 4. Any institution of higher education that is accredited, as
5 described in s. 39.30 (1) (d), 2013 stats., and is exempt from taxation under section
6 501 (c) (3) of the internal revenue code.

7 History: 1977 c. 173, 272; 1987 a. 416; 1993 a. 399; 1995 a. 27 s. 9154 (1); 1997 a. 27; 1999 a. 9; 2001 a. 16, 104, 109; 2005 a. 22, 25, 254; 2009 a. 302.

SECTION 28. 948.11 (4) (b) 4. of the statutes is amended to read:

8 948.11 (4) (b) 4. Any institution of higher education that is accredited, as
9 described in s. 39.30 (1) (d), 2013 stats., and is exempt from taxation under section
10 501 (c) (3) of the internal revenue code, as defined in s. 71.01 (6).

11 History: 1987 a. 332; 1989 a. 31; 1993 a. 220, 399; 1995 a. 27 s. 9154 (1); 1997 a. 27, 82; 1999 a. 9; 2001 a. 16, 104, 109; 2005 a. 22, 25, 254; 2009 a. 302.

SECTION 29. Nonstatutory provisions.

12 (1) TRANSFER TO UNIVERSITY OF WISCONSIN SYSTEM OF UNENCUMBERED BALANCES
13 IN REPEALED HIGHER EDUCATIONAL AIDS BOARD APPROPRIATIONS. Notwithstanding
14 section 20.002 (3m) of the statutes, on the effective date of this subsection, there is
15 transferred to the appropriation account under section 20.285 (1) (k) of the statutes
16 an amount equal to the unencumbered balances in the appropriation accounts under
17 section 20.235 (1) (b), (fd), (fe), (ff), (fg), (fj), (gm), (k), (ke), and (km) of the statutes,
18 as affected by this act, on the day before the effective date of this subsection. The
19 board of regents of the University of Wisconsin System shall use the amount
20 transferred under this subsection to reduce the tuition charged to enroll in
21 educational programs in that system.

22 **SECTION 30. Initial applicability.**

Insert 13-18

Insert 13-24

1 ~~§~~ HIGHER EDUCATION GRANTS AND SCHOLARSHIPS. The treatment of sections
2 36.11 (58) and 39.28 (7) of the statutes first applies to a grant or scholarship awarded
3 for the 2015-16 academic year.

(end of insert 13-24)

(END OF INSERT)

(INSERT GMM ANALYSIS)

Higher education grants and scholarships

Under current law, the Higher Educational Aids Board (HEAB) awards certain grants based on financial need. Those grants include Wisconsin higher education grants for students enrolled in public institutions of higher education or tribal colleges in this state (WHEG grants), tuition grants for students enrolled in private institutions of higher education in this state (tuition grants), Indian student assistance grants to assist Indian students who are residents of this state (Indian student assistance grants), and minority undergraduate retention grants to assist minority students enrolled in private institutions of higher education or technical colleges in this state (minority undergraduate retention grants).

This bill eliminates WHEG grants, tuition grants, Indian student assistance grants, and minority undergraduate retention grants, transfers the unencumbered balances in the appropriations for those grants to the Board of Regents of the University of Wisconsin (UW) System (Board of Regents), and directs the Board of Regents to use the amount so transferred to reduce the tuition charged to enroll in educational programs in the UW System.

The bill also prohibits HEAB from awarding any state financial assistance, and the Board of Regents from awarding any scholarship, that is based on financial need to a student under 22 years of age who is a dependent of his or her parents unless the calculation of the student's financial need includes consideration of the income and assets of both of the student's parents. In addition, the bill requires state financial assistance awarded by HEAB and scholarship moneys awarded by the Board of Regents to be used only for tuition, fees, books, and educational supplies.

(END OF INSERT)

