



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3902/2
PK/FK/MS/PG/GM:eev

reviser

2013 BILL

(in 3-7) other

regenerate ↓

1 AN ACT *to repeal* 20.235 (1) (b), 20.235 (1) (fd), 20.235 (1) (fe), 20.235 (1) (ff),
2 20.235 (1) (fg), 20.235 (1) (fj), 20.235 (1) (gm), 20.235 (1) (k), 20.235 (1) (ke),
3 20.235 (1) (km), 20.505 (8) (hm) 4i., 20.505 (8) (hm) 10., 36.11 (6) (c), 38.04 (7m),
4 39.285, 39.30, 39.31, 39.38, 39.435, 39.44, 49.148 (1m) (a) (intro.), 49.148 (1m)
5 (a) 2. and 49.148 (1m) (c) 3.; *to renumber and amend* 49.147 (1m) (a) and
6 49.148 (1m) (a) 1.; *to amend* 5.02 (6m) (f), 16.27 (2) (a), 16.27 (5) (intro.), 16.27
7 (5) (b), 16.303 (1) (a), 16.306 (2) (a), 20.285 (1) (gb), 36.25 (49), 39.39 (2) (b), 39.45
8 (1) (a), 39.45 (1) (b), 49.147 (1m) (title), 49.147 (4) (am), 49.147 (4) (as), 49.147
9 (4) (av), 49.147 (5) (bm), 49.147 (5) (bs), 49.147 (5m) (a) (intro.), 49.147 (5m) (bL),
10 49.148 (1) (intro.), 49.148 (1) (b) 1., 49.148 (1) (b) 1m. d., 49.148 (1) (b) 3., 49.148
11 (1) (c), 49.148 (1m) (title), 49.148 (1m) (c) 1., 49.148 (1m) (c) 2., 49.155 (5) (a),
12 49.155 (6g) (a) 2., 49.155 (6g) (a) 3., 49.159 (4), 66.1201 (9) (a), 71.53 (2) (c),
13 118.60 (2) (a) 1. b., 119.23 (2) (a) 1. b., 234.03 (intro.), 234.04 (1), 234.04 (2),
14 234.04 (3), 234.06 (1), 234.06 (3), 234.49 (2) (a) (intro.), 234.59 (2) (intro.),

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1 234.592 (2) (intro.), 944.21 (8) (b) 4. and 948.11 (4) (b) 4.; and *to create* 16.27
2 (5m), 16.3025, 16.305 (2) (d), 16.306 (2) (c), 36.11 (59), 39.28 (7), 49.143 (4m),
3 49.147 (1m) (a) 2., 49.147 (1m) (a) 3., 49.148 (2), 49.148 (5), 49.155 (1m) (c) 4.,
4 49.155 (6g) (a) 5., 49.79 (1m), 49.79 (7c), 49.79 (7h), 49.79 (11), 49.823, 49.97,
5 66.1204, 71.07 (9e) (h), 71.53 (2) (g), 115.34 (3) and 234.038 of the statutes;
6 **relating to:** education and training under Wisconsin Works; reducing
7 Wisconsin Works benefits; eliminating Wisconsin Works grants for unmarried,
8 pregnant women at risk; a minimum copayment, maximum child care hours,
9 and reducing income based on marriage for eligibility under Wisconsin Shares;
10 changes to the food stamp program relating to financial eligibility for benefits,
11 allowing an election to reduce benefits, recouping unused benefits, and
12 prohibiting supplier discounts; prohibiting advertising concerning
13 means-tested public assistance on radio or television; requiring consideration
14 of the income and assets of all individuals in a household for purposes of
15 eligibility for any means-tested public assistance; eligibility requirements for
16 persons or families of low and moderate income to receive certain housing,
17 housing assistance, grants, loans, or benefits from the Wisconsin Housing and
18 Economic Development Authority, the Department of Administration, and
19 local housing authorities; reducing the authority of local housing authorities;
20 eligibility requirement for purposes of receiving low-income energy assistance;
21 prohibiting new claims under the earned income tax credit; limiting eligibility
22 for the homestead tax credit; elimination of certain grant programs
23 administered by the Higher Educational Aids Board and transfer of the
24 unencumbered balances in the appropriations for those programs to the
25 University of Wisconsin System for the purpose of tuition reduction;

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1 consideration of the income and assets of both parents of a student under 22
2 years of age for purposes of awarding a grant or scholarship to such a student
3 and the permissible uses of grant or scholarship moneys awarded; income
4 eligibility requirements for enrollment in a private school participating in a
5 parental choice program; the school lunch program; and granting rule-making
6 authority.

Analysis by the Legislative Reference Bureau

Wisconsin Works and Wisconsin Shares

The Wisconsin Works (W-2) program under current law provides monthly grants and work experience, in the form of trial employment match program jobs, community service jobs, and transitional placements, for low-income custodial parents who are at least 18 years old; monthly grants for custodial parents of infants who are eight weeks old or younger and for pregnant women who are unable to participate in the workforce because they are in the third trimester of at-risk pregnancies; job search assistance to noncustodial parents who are required to pay child support, to minor custodial parents, and to pregnant women who are not custodial parents; as well as child care subsidies under a program known as Wisconsin Shares, under which an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, and who satisfies other eligibility criteria may receive a child care subsidy for child care services that the individual needs to participate in various educational or work activities. W-2 is administered, generally, by W-2 agencies under contracts with the Department of Children and Families (DCF).

Under current law, a W-2 agency must conduct an educational needs assessment of each individual who applies for an employment position under W-2 and, if the individual and W-2 agency determine that the individual needs or would benefit from education or training activities and that the individual is eligible for a W-2 employment position, the W-2 agency must include education or training activities in the individual's employability plan. Under the bill, a W-2 agency must conduct an education and training assessment of each individual and, if the individual and W-2 agency determine that the individual needs or would benefit from education or training activities to better prepare the individual for employment, the W-2 agency determines that the individual would likely be successful in the education or training activities, and the individual is eligible for a W-2 employment position, the W-2 agency must include education or training activities in the individual's employability plan. The bill sets out the specific factors that the W-2 agency must use to determine whether the individual is likely to be successful in the education or training activities, including whether the individual

unmarried,

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can read and write, whether the individual can perform basic arithmetic functions, whether the individual has stable housing, whether the individual is able to keep appointments on time, and whether the individual has the support of his or her family. The bill lists the specific types of education or training activities in which an individual may participate, including employer-sponsored training, courses in English as a second language, and technical college courses, and provides, generally, that an individual may participate in the education or training activities for no more than 18 total months, that DCF must specify the maximum time of classroom instruction, and that the individual's employer, if any, must approve of the individual's participation in the education or training activities. Under current law, an individual in a community service job employment position may be required to participate in education or training activities for not more than 10 hours per week and an individual in a transitional placement employment position may be required to participate in education or training activities for not more than 12 hours per week. The bill reduces those maximum times to not more than eight hours per week and not more than 10 hours per week, respectively.

Under current law, an individual in a community service job employment position receives a monthly grant of \$653, an individual in a transitional placement employment position receives a monthly grant of \$608, and a custodial parent of an infant who is eight weeks old or younger or ^{an unmarried,} a pregnant woman who is unable to participate in the workforce because she is in the third trimester of an at-risk pregnancy receives a monthly grant of \$673. The bill reduces each of those monthly grant amounts by \$20 and eliminates the benefit altogether for a pregnant woman who is unable to participate in the workforce because she is in the third trimester of an at-risk pregnancy. In addition, under the bill DCF is directed to calculate the monthly amount or value of other public assistance benefits received by these W-2 participants and to reduce the monthly benefit by that amount. DCF must promulgate rules that define, for this purpose, what other public assistance benefits are.

The bill prohibits DCF and W-2 agencies from paying a bonus to a W-2 participant on the basis of the length of time the participant remains at a job. The bill also requires DCF to implement a case monitoring audit process to ensure that W-2 agencies are adequately monitoring the activities of all W-2 participants.

Under current law, to be eligible for a child care subsidy under Wisconsin Shares, the gross income of the child's family may not exceed 200 percent of the federal poverty line (FPL). The bill requires that the gross income of the child's family be reduced by \$20,000 before the gross income as a percentage of FPL is calculated if the child's parents are married. Current law provides that no more than 12, or in some cases up to 16, hours of subsidized child care may be authorized per child per day. The bill imposes a limit on the amount of child care for which a subsidy may be provided of 40 hours per week per child. Also under current law, a child care subsidy recipient must pay the difference, if any, between the cost of the child care and the amount of the child care subsidy. The bill specifies that a child care subsidy recipient must pay a minimum copayment of \$2 per hour per child.

BILL***FoodShare***

The federal Supplemental Nutrition Assistance Program (SNAP), known in Wisconsin as FoodShare and formerly known as the food stamp program, provides benefits to eligible low-income households for the purchase of food. FoodShare is administered by the Department of Health Services (DHS), and the state and the federal government share the cost of administration. Benefits, which are electronically debited to a Quest card, are paid entirely with federal funds. Any benefit amount that is not used in the month of receipt is carried over and may be used by the recipient for up to one year. Eligibility criteria for FoodShare, which is based on federal law, is not set out in the statutes. In Wisconsin, generally, an individual or family is eligible if gross income does not exceed 200 percent of FPL and assets are not considered. If a household has an elderly, blind, or disabled member, there is no limit on gross income, but net income may not exceed 100 percent of FPL, and such a household may not have more than \$3,000 in countable assets if gross income exceeds 200 percent of FPL.

Under the bill, to be eligible for FoodShare, an individual's or family's gross income may not exceed 130 percent of FPL and net income may not exceed 100 percent of FPL; the household may not have countable assets that exceed \$2,000 in value, except that countable assets may not exceed \$3,200 in value if the household includes an individual who is at least 60 years old, blind, or disabled. In addition, the bill requires that the gross and net incomes of a household be reduced by \$15,000 each before determining whether the gross or net income exceeds 130 or 100 percent of FPL, respectively, if the household includes a married couple.

The bill prohibits DHS from allowing or accepting online applications for FoodShare and prohibits retail grocery stores from giving discounts on the cost of food or other items for using food stamp benefits to purchase the food or other items. The bill also provides that, to the extent permitted under federal law, DHS must implement a food stamp benefit distribution system that allows a food stamp benefit recipient to elect to receive a benefit amount that is less than the amount for which the recipient's household is eligible and that recoups any food stamp benefits that are not used up in the month in which they are received.

Public assistance

The bill defines "means-tested public assistance" as services, benefits, or other assistance that are provided to individuals or families under the public assistance provisions of the statutes and for which income or assets is a factor in determining eligibility. Under the bill, when determining an individual's or family's eligibility for means-tested public assistance, DHS or DCF must take into consideration the income or assets, whichever is applicable for the program, of every individual who resides in the household of the individual or family that is applying for the means-tested public assistance. DHS or DCF must request a waiver of federal law if it appears that a waiver would be necessary for implementing this requirement for any particular program providing means-tested public assistance. The bill also prohibits DHS or DCF from using radio or television to advertise the availability of, or to provide any information concerning, means-tested public assistance.

BILL***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 with 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 twice in a 12-month period.

Department of Administration low-income housing assistance

Under current law, DOA may make grants or loans, directly or through agents designated by DOA, to persons or families of low and 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 and 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, unless the person is, or the family includes, a person who is disabled or aged 62 or older. Under the requirement, persons or families of low and moderate income who receive assistance with housing, housing costs, utility-related costs, or 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 unit of average rental value in the county in which the person or family resides. In order to satisfy this requirement, DOA may require that more than two unrelated persons or families of low or moderate income be housed in one housing unit.

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

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

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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 in obtaining 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.

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 are subject to the following limitations, unless the person is, or the family includes, a person who is disabled or aged 62 or older:

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.

b. With two exceptions, persons or families of low or moderate income with assets that exceed \$2,000 in cash equity value or with a vehicle having an equity value of \$10,000 or greater may not receive housing or housing assistance from WHEDA.

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.

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,

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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.

Local housing authorities

Generally under current law, a local housing authority may acquire, lease, and operate approved housing projects, and may provide for the construction, reconstruction, improvement, alteration, or repair of any housing project. Under this bill, after the effective date of the bill, a local housing authority may not provide for the construction of low-income housing unless it is for individuals age 55 and above. In addition, the bill prohibits a local housing authority from requesting more money for low-income housing.

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. When verifying a family's income, the Department of Revenue must first deduct \$7,000. This bill increases the deduction to \$30,000.

School lunch program

This bill prohibits a school board from providing to a pupil's parent or guardian more than two notices describing eligibility criteria for the school lunch program in any school year.

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).

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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.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

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

2 5.02 **(6m)** (f) An unexpired identification card issued by a university or college
3 in this state that is accredited, as defined in s. 39.30 (1) (d), 2011 stats., that contains
4 the date of issuance and signature of the individual to whom it is issued and that
5 contains an expiration date indicating that the card expires no later than 2 years
6 after the date of issuance if the individual establishes that he or she is enrolled as
7 a student at the university or college on the date that the card is presented.

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

9 16.27 **(2)** (a) The department shall administer low-income energy assistance
10 as provided in this section to assist an eligible household to meet the costs of home
11 energy with low-income home energy assistance benefits authorized under 42 USC
12 8621 to 8629. Neither the department nor any county department, local government
13 agency, or private nonprofit organization with which the department contracts to

BILL**SECTION 2**

1 administer assistance under this section may notify a household that the household
2 is eligible for assistance under this section more than 2 times in a 12-month period.

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

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

7 **SECTION 4.** 16.27 (5) (b) of the statutes is amended to read:

8 16.27 (5) (b) A household with income which is not more than 60 percent of the
9 statewide median household income. The income for a household that includes a
10 married couple is reduced by \$10,000 before the determination of eligibility is made
11 under this paragraph.

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

13 16.27 (5m) **LIMITATIONS ON ELIGIBILITY.** (a) 1. Except as provided in subd. 2., a
14 household with assets that exceed \$2,000 in combined equity value or with a vehicle
15 having an equity value of \$10,000 or greater is not eligible for low-income energy
16 assistance under this section.

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

19 (b) If the department determines it may not implement the limitation under
20 par. (a) 1. without a waiver from the federal department of health and human
21 services and that such a waiver may be requested under federal law, the department
22 shall request a waiver from the secretary of the federal department of health and
23 human services. If a waiver that is consistent with par. (a) 1. is granted and in effect,
24 the department shall implement the limitation on eligibility under par. (a) 1. If a

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1 waiver is required, the department may not implement the limitation on eligibility
2 under par. (a) 1. unless a waiver is granted and in effect.

3 **SECTION 6.** 16.3025 of the statutes is created to read:

4 **16.3025 State housing programs; limitations.** (1) Except as provided in
5 sub. (2), the department shall ensure that all of the following requirements are
6 satisfied in connection with housing, housing costs, utility-related costs, grants, or
7 loans provided, directly or indirectly, under ss. 16.301 to 16.315 by the department
8 or by a community-based organization, housing authority, or designated agent
9 under s. 16.304 to persons and families of low and moderate income:

10 (a) 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 paragraph, the
14 department may require that more than 2 unrelated persons or families of low or
15 moderate income be housed in one housing unit.

16 (b) A person or family with assets that exceed \$2,000 in combined equity value
17 or with a vehicle having an equity value of \$10,000 or greater is not eligible for
18 assistance with housing, housing costs, or utility-related costs under this
19 subchapter or eligible to benefit from any grants or loans made under this
20 subchapter.

21 (c) For purposes of determining eligibility for any assistance under this
22 subchapter, an applicant's income includes the income of any person who spent at
23 least 15 nights in the applicant's home during the 60-day period immediately before
24 the date of the application.

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1 (2) The requirements in sub. (1) (a) to (c) do not apply to a person who is, or a
2 family that includes, a person who is disabled, as defined in s. 49.468 (1) (a) 1., or is
3 aged 62 or older.

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

12 **SECTION 7.** 16.303 (1) (a) of the statutes is amended to read:

13 16.303 (1) (a) Subject to sub. (2) and the limitations on eligibility and housing
14 under s. 16.3025, make grants or loans, directly or through agents designated under
15 s. 16.304, from the appropriation under s. 20.505 (7) (b) to persons or families of low
16 or moderate income to defray housing costs of the person or family.

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

18 16.305 (2) (d) The department determines that the grant is consistent with and
19 will not be used in violation of the limitations on eligibility and housing under s.
20 16.3025.

21 **SECTION 9.** 16.306 (2) (a) of the statutes is amended to read:

22 16.306 (2) (a) From the appropriation under s. 20.505 (7) (fm), the department
23 may award a grant to an eligible applicant for the purpose of providing transitional
24 housing and associated supportive services to homeless individuals and families if
25 the conditions under ~~par.~~ pars. (b) and (c) are satisfied. The department shall ensure

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1 that the funds for the grants are reasonably balanced among geographic areas of the
2 state, consistent with the quality of applications submitted.

3 **SECTION 10.** 16.306 (2) (c) of the statutes is created to read:

4 16.306 (2) (c) A recipient of a grant under par. (a) shall agree to comply with
5 the limitations on eligibility and housing for persons and families of low and
6 moderate income under s. 16.3025.

7 **SECTION 11.** 20.235 (1) (b) of the statutes is repealed.

8 **SECTION 12.** 20.235 (1) (fd) of the statutes is repealed.

9 **SECTION 13.** 20.235 (1) (fe) of the statutes, as affected by 2013 Wisconsin Act
10 20, is repealed.

11 **SECTION 14.** 20.235 (1) (ff) of the statutes is repealed.

12 **SECTION 15.** 20.235 (1) (fg) of the statutes is repealed.

13 **SECTION 16.** 20.235 (1) (fj) of the statutes is repealed.

14 **SECTION 17.** 20.235 (1) (gm) of the statutes is repealed.

15 **SECTION 18.** 20.235 (1) (k) of the statutes is repealed.

16 **SECTION 19.** 20.235 (1) (ke) of the statutes, as created by 2013 Wisconsin Act
17 20, is repealed.

18 **SECTION 20.** 20.235 (1) (km) of the statutes is repealed.

19 **SECTION 21.** 20.285 (1) (gb) of the statutes, as affected by 2013 Wisconsin Act
20 20, section 250h, is amended to read:

21 20.285 (1) (gb) *General program operations.* All moneys received from the
22 operation of educational programs and related programs to carry out the purposes
23 for which received, including the transfer of funds to par. (gj). In each fiscal year, the
24 Board of Regents shall transfer no more than \$20,338,500 from this appropriation
25 account to the medical assistance trust fund. ~~In fiscal year 2013–14, the amount in~~

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1 ~~the schedule under s. 20.235 (1) (ke) shall be transferred from this appropriation~~
2 ~~account to the appropriation account under s. 20.235 (1) (ke).~~

3 **SECTION 22.** 20.505 (8) (hm) 4i. of the statutes is repealed.

4 **SECTION 23.** 20.505 (8) (hm) 10. of the statutes is repealed.

5 **SECTION 24.** 36.11 (6) (c) of the statutes is repealed.

6 **SECTION 25.** 36.11 (59) of the statutes is created to read:

7 **36.11 (59) SCHOLARSHIPS BASED ON FINANCIAL NEED.** The board may not award
8 a scholarship that is based in whole or in part on financial need to any student under
9 the age of 22 who is a dependent of his or her parents unless the board's calculation
10 of financial need includes consideration of the income and assets of both of the
11 student's parents. Scholarship moneys awarded by the board may be used only for
12 tuition, fees, books, and educational supplies.

13 **SECTION 26.** 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

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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 27.** 38.04 (7m) of the statutes is repealed.

4 **SECTION 28.** 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 29.** 39.285 of the statutes is repealed.

12 **SECTION 30.** 39.30 of the statutes is repealed.

13 **SECTION 31.** 39.31 of the statutes is repealed.

14 **SECTION 32.** 39.38 of the statutes is repealed.

15 **SECTION 33.** 39.39 (2) (b) of the statutes is amended to read:

16 39.39 (2) (b) Promulgate rules to administer this section, including rules
17 establishing loan amounts and the criteria and procedures for loan forgiveness and
18 for selecting loan recipients. Loan recipients shall be selected on the basis of
19 financial need, as determined by the board, ~~using the needs analysis methodology~~
20 ~~used under s. 39.435.~~

21 **SECTION 34.** 39.435 of the statutes, as affected by 2013 Wisconsin Act 20, is
22 repealed.

23 **SECTION 35.** 39.44 of the statutes is repealed.

24 **SECTION 36.** 39.45 (1) (a) of the statutes is amended to read:

BILL**SECTION 36**

1 39.45 (1) (a) “Institution of higher education” means a public or private
2 nonprofit educational institution meeting the requirements of s. 39.30, 2011 stats.,
3 or s. 39.435, 2011 stats., for the purpose of awarding grants under those sections.

4 **SECTION 37.** 39.45 (1) (b) of the statutes is amended to read:

5 39.45 (1) (b) “Resident student” has the meaning specified in s. 39.30 (1) (e),
6 2011 stats.

7 **SECTION 38.** 49.143 (4m) of the statutes is created to read:

8 49.143 (4m) CASE MONITORING AUDITS. The department shall develop and
9 implement a case monitoring audit process to ensure that Wisconsin Works agencies
10 are adequately monitoring the activities of all participants.

11 **SECTION 39.** 49.147 (1m) (title) of the statutes is amended to read:

12 49.147 (1m) (title) ~~EDUCATIONAL NEEDS~~ EDUCATION AND TRAINING ASSESSMENT.

13 **SECTION 40.** 49.147 (1m) (a) of the statutes is renumbered 49.147 (1m) (a) 1.
14 and amended to read:

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

BILL

1 Works agency shall include education or training activities specified in subd. 3. in
2 any employability plan developed for the individual.

3 **SECTION 41.** 49.147 (1m) (a) 2. of the statutes is created to read:

4 49.147 (1m) (a) 2. A Wisconsin Works agency shall determine whether an
5 individual would likely be successful in education or training activities on the basis
6 of the following factors:

- 7 a. Whether the individual has the ability to read and write.
- 8 b. Whether the individual is able to perform basic arithmetic functions.
- 9 c. Whether the individual is able to keep appointments on time.
- 10 d. Whether the individual has stable housing.
- 11 e. Whether the individual has ties to the local community.
- 12 f. Whether the individual has the support of his or her family.
- 13 g. The individual's general educational background.

14 **SECTION 42.** 49.147 (1m) (a) 3. of the statutes is created to read:

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

- 23 a. A course of study meeting the standards established under s. 115.29 (4) for
24 the granting of a declaration of equivalency of high school graduation.

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SECTION 42

1 b. Technical college courses and other educational courses that provide an
2 employment skill.

3 c. Employer-sponsored training.

4 d. English as a 2nd language courses.

5 e. Adult basic education courses.

6 **SECTION 43.** 49.147 (4) (am) of the statutes is amended to read:

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

22 **SECTION 44.** 49.147 (4) (as) of the statutes is amended to read:

23 49.147 (4) (as) *Required hours.* Except as provided in pars. (at) and (av) and
24 sub. (5m), a Wisconsin Works agency shall require a participant placed in a
25 community service job program to work in a community service job for the number

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1 of hours determined by the Wisconsin Works agency to be appropriate for the
2 participant at the time of application or review and may require a participant to
3 participate in education or training activities for not more than ~~10~~ 8 hours per week,
4 except that the Wisconsin Works agency may not require a participant under this
5 subsection to spend more than 40 hours per week in combined activities under this
6 subsection.

7 **SECTION 45.** 49.147 (4) (av) of the statutes is amended to read:

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

16 **SECTION 46.** 49.147 (5) (bm) of the statutes is amended to read:

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

BILL**SECTION 46**

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

7 **SECTION 47.** 49.147 (5) (bs) of the statutes is amended to read:

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

14 **SECTION 48.** 49.147 (5m) (a) (intro.) of the statutes is amended to read:

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

20 **SECTION 49.** 49.147 (5m) (bL) of the statutes is amended to read:

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

25 **SECTION 50.** 49.148 (1) (intro.) of the statutes is amended to read:

BILL

1 **49.148 (1) BENEFIT AND WAGE LEVELS FOR PARTICIPANTS IN EMPLOYMENT POSITIONS.**
2 (intro.) ~~A~~ Subject to sub. (2), a participant in a Wisconsin Works employment
3 position shall receive the following wages or benefits:

4 **SECTION 51.** 49.148 (1) (b) 1. of the statutes, as affected by 2013 Wisconsin Act
5 20, is amended to read:

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

18 **SECTION 52.** 49.148 (1) (b) 1m. d. of the statutes is amended to read:

19 49.148 (1) (b) 1m. d. For a participant placed in a community service job for
20 more than 20 hours per week, ~~\$653~~ \$633.

21 **SECTION 53.** 49.148 (1) (b) 3. of the statutes, as affected by 2013 Wisconsin Act
22 20, is amended to read:

23 49.148 (1) (b) 3. For a participant in a community service job who participates
24 in technical college education under s. 49.147 (5m), a monthly grant of ~~\$653~~ \$633.
25 For every hour that the participant misses work or other required activities without

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1 good cause, the grant amount shall be reduced by \$5. Good cause shall be determined
2 by the financial and employment planner in accordance with rules promulgated by
3 the department. Good cause shall include required court appearances for a victim
4 of domestic abuse.

5 **SECTION 54.** 49.148 (1) (c) of the statutes, as affected by 2013 Wisconsin Act 20,
6 is amended to read:

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

15 **SECTION 55.** 49.148 (1m) (title) of the statutes is amended to read:

16 49.148 (1m) (title) CUSTODIAL PARENT OF INFANT; ~~UNMARRIED, PREGNANT WOMAN.~~

17 **SECTION 56.** 49.148 (1m) (a) (intro.) of the statutes is repealed.

18 **SECTION 57.** 49.148 (1m) (a) 1. of the statutes is renumbered 49.148 (1m) (am)
19 and amended to read:

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

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SECTION 58. 49.148 (1m) (a) 2. of the statutes is repealed.

SECTION 59. 49.148 (1m) (c) 1. of the statutes is amended to read:

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

SECTION 60. 49.148 (1m) (c) 2. of the statutes is amended to read:

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

SECTION 61. 49.148 (1m) (c) 3. of the statutes is repealed.

SECTION 62. 49.148 (2) of the statutes is created to read:

49.148 (2) REDUCTION IN AMOUNT BASED ON RECEIPT OF OTHER BENEFITS. (a) If a participant in a community service job or transitional placement or a participant under sub. (1m) receives any other public assistance benefits, the department shall reduce the amount of the grant paid to the participant under sub. (1) (b) or (c) or sub.

(1m) by doing all of the following:

(a)

Insert 23-19

24
25

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1 1. Calculating the monthly amount or value of the other public assistance
2 benefits received by the participant.

3 2. Deducting the monthly amount or value calculated under subd. 1. from the
4 participant's monthly grant amount specified under sub. (1) (b) or (c) or ~~sub. (1m)~~^(a),
5 whichever is applicable, except that the amount deducted under this subdivision
6 from the monthly grant amount specified in sub. (1) (b) or (c) or ~~sub. (1m)~~^(a), whichever
7 is applicable, may not exceed that applicable monthly grant amount.

8 (b) The department shall promulgate rules that define "other public assistance
9 benefits" and that specify how to calculate the monthly amount or value of those
10 benefits for purposes of the reduction under this subsection.

11 **SECTION 63.** 49.148 (5) of the statutes is created to read:

12 49.148 (5) BONUS PROHIBITED. The department or a Wisconsin Works agency
13 may not pay a bonus or other monetary reward to a participant for remaining at a
14 job for a particular length of time.

15 **SECTION 64.** 49.155 (1m) (c) 4. of the statutes is created to read:

16 49.155 (1m) (c) 4. a. If the individual is married, the gross income of the
17 individual's family shall be reduced by \$20,000 before gross income as a percentage
18 of the poverty line is calculated under subd. 1., 1m., 2., or 3.

19 b. If the child's biological or adoptive parents are married, the gross income of
20 the child's biological or adoptive family shall be reduced by \$20,000 before gross
21 income as a percentage of the poverty line is calculated under subd. 1g. or 1h.

22 **SECTION 65.** 49.155 (5) (a) of the statutes, as affected by 2013 Wisconsin Act 20,
23 is amended to read:

24 49.155 (5) (a) An individual receiving a subsidy under this section is liable for
25 the difference, if any, between the cost of the child care provided by the child care

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1 provider or providers selected by the individual and the subsidy amount, except that
2 the department shall require a minimum copayment of \$2 per hour of child care per
3 child. The department shall specify minimum or estimated copayment amounts
4 based on family size, income level, and other factors, a schedule of which will be
5 available in electronic form on the department's Internet site and in paper form.

6 **SECTION 66.** 49.155 (6g) (a) 2. of the statutes is amended to read:

7 49.155 (6g) (a) 2. Except as provided in subd. 3., and subject to subd. 5., the
8 department shall authorize no more than 12 hours of child care per day per child.

9 **SECTION 67.** 49.155 (6g) (a) 3. of the statutes is amended to read:

10 49.155 (6g) (a) 3. The Subject to subd. 5., the department may authorize more
11 than 12 hours, not exceeding 16 hours, of child care per day for a child whose parent
12 provides written documentation of work or transportation requirements that exceed
13 12 hours in a day.

14 **SECTION 68.** 49.155 (6g) (a) 5. of the statutes is created to read:

15 49.155 (6g) (a) 5. The department may not authorize more than 40 hours of
16 child care per week for a child.

17 **SECTION 69.** 49.159 (4) of the statutes is amended to read:

18 49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically
19 verified, and who would be eligible under s. 49.145 except that she is not a custodial
20 parent of a dependent child, ~~and who does not satisfy the requirements under s.~~
21 ~~49.148 (1m) (a) 2.~~ is eligible for employment training and job search assistance
22 services provided by the Wisconsin Works agency.

23 **SECTION 70.** 49.79 (1m) of the statutes is created to read:

BILL**SECTION 70**

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

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

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

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

10 4. If the household includes an individual who is 60 years of age or older, an
11 individual who is blind, as defined in s. 47.01 (1), or an individual who is disabled,
12 as defined in s. 49.155 (1) (aL), the household does not have countable assets of more
13 than \$3,200 in value.

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

17 **SECTION 71.** 49.79 (7c) of the statutes is created to read:

18 **49.79 (7c) NO ONLINE APPLICATIONS.** The department may not allow or accept
19 online applications for benefits under this section. Any person who seeks benefits
20 under this section must apply to the department or its designated agent in person.

21 **SECTION 72.** 49.79 (7h) of the statutes is created to read:

22 **49.79 (7h) REDUCTION IN, AND RECOUPMENT OF, BENEFITS.** To the extent permitted
23 under federal law, the department shall implement a system for distributing benefits
24 under this section that does all of the following:

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

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

7 **SECTION 73.** 49.79 (11) of the statutes is created to read:

8 49.79 (11) DISCOUNTS PROHIBITED. No supplier, as defined in s. 49.795 (1) (d),
9 may offer or provide a discount on the cost of food or other items that may be
10 purchased with food stamp benefits by reason of the use of food stamp benefits to
11 purchase the food or other items.

12 **SECTION 74.** 49.823 of the statutes is created to read:

13 **49.823 Determination of income and assets. (1)** In this section:

14 (a) "Household" has the meaning given in s. 16.27 (1) (c).

15 (b) "Means-tested public assistance" means any services, benefits, or other
16 assistance that is provided to individuals or families under this chapter and for
17 which income or assets is a factor in determining eligibility.

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

24 (3) If the department of health services or the department of children and
25 families determines that it may not without a waiver from the federal government

BILL**SECTION 74**

1 implement the requirement under sub. (2) with respect to any program administered
2 by that department that provides means–tested public assistance and that such a
3 waiver may be requested under federal law, the department of health services or the
4 department of children and families shall request a waiver from the appropriate
5 federal agency. If such a waiver is requested with respect to a program, the
6 department requesting the waiver may not implement the requirement under sub.
7 (2) with respect to the program unless the waiver is granted and in effect.

8 **SECTION 75.** 49.97 of the statutes is created to read:

9 **49.97 Prohibition on advertising.** (1) In this section, “means–tested public
10 assistance” means any services, benefits, or other assistance that is provided to
11 individuals or families under this chapter and for which income or assets is a factor
12 in determining eligibility.

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

16 **SECTION 76.** 66.1201 (9) (a) of the statutes is amended to read:

17 66.1201 (9) (a) Within its area of operation to prepare, carry out, acquire, lease
18 and operate housing projects approved by the council; to provide for the construction,
19 reconstruction, improvement, alteration or repair of any housing project or any part
20 of a housing project, except that after the effective date of this paragraph [LRB
21 inserts date], an authority may not provide for or facilitate the construction of
22 additional low–income housing unless it is for individuals age 55 and above.

23 **SECTION 77.** 66.1204 of the statutes is created to read:

24 **66.1204 Limitations on eligibility.** (1) (a) In its role under 42 USC 1437f
25 as a public housing agency, as defined in 24 CFR 982.4 (b), an authority may not

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1 provide assistance payments to any person unless the person satisfies one of the
2 following:

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

5 (b) Except as provided in par. (c), an authority shall ensure that all of the
6 following requirements are satisfied in connection with housing or housing
7 assistance provided directly or indirectly by the authority, or by a state public body
8 with which it contracts, to any person of low income:

9 1. Any housing provided to a person of low income is restricted to housing in
10 which the square footage is less than 50 percent of the average square footage for a
11 rental unit of average rental value in the county in which the person of low income
12 resides. To satisfy the requirements of this subdivision, the authority may require
13 that more than 2 unrelated persons of low income be housed in one housing unit.

14 2. A person or family with assets that exceed \$2,000 in combined equity value
15 or with a vehicle having an equity value of \$10,000 or greater is not eligible for
16 housing or housing assistance under this subchapter.

17 3. For purposes of determining eligibility for any assistance under this
18 subchapter, an applicant's income includes the income of any person who spent at
19 least 15 nights in the applicant's home during the 60-day period immediately before
20 the date of the application.

21 (c) The requirements in par. (b) 1. to 3. do not apply to a person who is disabled,
22 as defined in s. 49.468 (1) (a) 1., or is aged 62 or older.

23 (2) If an authority determines it may not implement the limitations on
24 eligibility and housing under sub. (1) without a waiver from the federal department
25 of housing and urban development and that such a waiver may be requested under

BILL**SECTION 77**

1 federal law, the authority shall request a waiver. If a waiver that is consistent with
2 sub. (1) is granted and in effect, an authority shall implement the limitations on
3 eligibility and housing under sub. (1). An authority may not implement any
4 limitation under sub. (1) for which a waiver is required unless a waiver as to that
5 limitation is granted and in effect.

6 **SECTION 78.** 71.07 (9e) (h) of the statutes is created to read:

7 71.07 (9e) (h) For taxable years beginning after December 31, 2014, no new
8 claims for a credit under this subsection may be filed.

9 **SECTION 79.** 71.53 (2) (c) of the statutes is amended to read:

10 71.53 (2) (c) ~~The~~ Except as provided in par. (g), the claimant was under 18 years
11 of age at the close of the year to which the claim relates.

12 **SECTION 80.** 71.53 (2) (g) of the statutes is created to read:

13 71.53 (2) (g) For claims filed for taxable years beginning after December 31,
14 2014, the claimant was under 55 years of age at the close of the year to which the
15 claim relates.

16 **SECTION 81.** 115.34 (3) of the statutes is created to read:

17 115.34 (3) A school board may not provide to a pupil's parent or guardian more
18 than 2 notices that describe the eligibility criteria for the school lunch program in any
19 school year.

20 **SECTION 82.** 118.60 (2) (a) 1. b. of the statutes is amended to read:

21 118.60 (2) (a) 1. b. The private school submits to the department of public
22 instruction the names, addresses, social security numbers, and other state and
23 federal tax identification numbers, if any, of the pupil's parents or legal guardians
24 that reside in the same household as the pupil, whether and to whom the parents or
25 legal guardians are married, the names of all of the other members of the pupil's

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1 family residing in the same household as the pupil, and the school year for which
2 family income is being verified under this subd. 1. b. The department of revenue
3 shall review the information submitted under this subd. 1. b. and shall verify the
4 eligibility or ineligibility of the pupil to participate in the program under this section
5 on the basis of family income. In this subdivision, “family income” means federal
6 adjusted gross income of the parents or legal guardians residing in the same
7 household as the pupil for the tax year preceding the school year for which family
8 income is being verified under this subd. 1. b. or, if not available, for the tax year
9 preceding the tax year preceding the school year for which family income is being
10 verified under this subd. 1. b. Family income for a family in which the pupil’s parents
11 are married or in which the pupil’s legal guardians are married shall be reduced by
12 ~~\$7,000~~ \$30,000 before the verification is made under this subd. 1. b. The department
13 of revenue may take no other action on the basis of the information submitted under
14 this subd. 1. b. If the department of revenue is unable to verify family income or to
15 verify whether the pupil is eligible or ineligible to participate in the program under
16 this section on the basis of family income, the department of revenue shall notify the
17 department of public instruction of this fact and the department of public instruction
18 shall utilize an alternative process, to be established by the department of public
19 instruction, to determine whether the pupil is eligible to participate in the program
20 under this section on the basis of family income. The department of public
21 instruction may not request any additional verification of income from the family of
22 a pupil once the department of revenue has verified that the pupil is eligible to
23 participate in the program under this section on the basis of family income. The
24 department of public instruction shall establish a procedure for determining family

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1 income eligibility for those pupils for whom no social security number or state or
2 federal tax identification number has been provided.

3 **SECTION 83.** 119.23 (2) (a) 1. b. of the statutes is amended to read:

4 119.23 (2) (a) 1. b. The private school submits to the department of public
5 instruction the names, addresses, social security numbers, and other state and
6 federal tax identification numbers, if any, of the pupil's parents or legal guardians
7 that reside in the same household as the pupil, whether and to whom the parents or
8 legal guardians are married, the names of all of the other members of the pupil's
9 family residing in the same household as the pupil, and the school year for which
10 family income is being verified under this subd. 1. b. The department of revenue
11 shall review the information submitted under this subd. 1. b. and shall verify the
12 eligibility or ineligibility of the pupil to participate in the program under this section
13 on the basis of family income. In this subdivision, "family income" means federal
14 adjusted gross income of the parents or legal guardians residing in the same
15 household as the pupil for the tax year preceding the school year for which family
16 income is being verified under this subd. 1. b. or, if not available, for the tax year
17 preceding the tax year preceding the school year for which family income is being
18 verified under this subd. 1. b. Family income for a family in which the pupil's parents
19 are married or in which the pupil's legal guardians are married shall be reduced by
20 ~~\$7,000~~ \$30,000 before the verification is made under this subd. 1. b. The department
21 of revenue may take no other action on the basis of the information submitted under
22 this subd. 1. b. If the department of revenue is unable to verify family income or to
23 verify whether the pupil is eligible or ineligible to participate in the program under
24 this section on the basis of family income, the department of revenue shall notify the
25 department of public instruction of this fact and the department of public instruction

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1 shall utilize an alternative process, to be established by the department of public
2 instruction, to determine whether the pupil is eligible to participate in the program
3 under this section on the basis of family income. The department of public
4 instruction may not request any additional verification of income from the family of
5 a pupil once the department of revenue has verified that the pupil is eligible to
6 participate in the program under this section on the basis of family income. The
7 department of public instruction shall establish a procedure for determining family
8 income eligibility for those pupils for whom no social security number or state or
9 federal tax identification number has been provided.

10 **SECTION 84.** 234.03 (intro.) of the statutes is amended to read:

11 **234.03 Powers of authority.** (intro.) The Subject to the limitations on
12 eligibility for projects or programs and housing benefiting persons and families of low
13 and moderate income under s. 234.038, the authority shall have all the powers
14 necessary or convenient to implement this chapter, including the following powers
15 in connection with its projects or programs, in addition to all other powers granted
16 by this chapter:

17 **SECTION 85.** 234.038 of the statutes is created to read:

18 **234.038 Limitations on eligibility for projects or programs and**
19 **housing benefiting persons and families of low and moderate income. (1)**

20 (a) In its role under 42 USC 1437f as a public housing agency, as defined in 24 CFR
21 982.4 (b), the authority may not provide assistance payments to any person unless
22 the person satisfies one of the following:

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

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1 (b) Except as provided in par. (c), the authority shall ensure that all of the
2 following requirements are satisfied in connection with housing or housing
3 assistance provided directly or indirectly by the authority or by an eligible sponsor,
4 housing corporation, financial institution, limited-profit entity, or nonprofit
5 corporation to persons and families of low and moderate income:

6 1. Any housing provided to a person or family of low or moderate income is
7 restricted to housing in which the square footage is less than 50 percent of the
8 average square footage for a rental unit of average rental value in the county in which
9 the person or family resides. To satisfy the requirements of this subdivision, the
10 authority may require that more than 2 unrelated persons or families of low or
11 moderate income be housed in one housing unit.

12 2. A person or family with assets that exceed \$2,000 in combined equity value
13 or with a vehicle having an equity value of \$10,000 or greater is not eligible for
14 housing or housing assistance under this chapter.

15 3. For purposes of determining eligibility for any assistance under this
16 subchapter, an applicant's income includes the income of any person who spent at
17 least 15 nights in the applicant's home during the 60-day period immediately before
18 the date of the application.

19 (c) The requirements in par. (b) 1. to 3. do not apply to a person who is, or a
20 family that includes, a person who is disabled, as defined in s. 49.468 (1) (a) 1., or is
21 aged 62 or older.

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

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1 sub. (1) is granted and in effect, the authority shall implement the limitations on
2 eligibility and housing under sub. (1). The authority may not implement any
3 limitation under sub. (1) for which a waiver is required unless a waiver as to that
4 limitation is granted and in effect.

5 **SECTION 86.** 234.04 (1) of the statutes is amended to read:

6 234.04 (1) The Subject to the limitations on eligibility for projects or programs
7 and housing benefiting persons and families of low and moderate income under s.
8 234.038, the authority may make or participate in the making of construction loans
9 to eligible sponsors of housing projects for the construction or rehabilitation of
10 housing for persons and families of low and moderate income. Such loans shall be
11 made only upon the determination by the authority that construction loans are not
12 otherwise available from private lenders upon reasonably equivalent terms and
13 conditions.

14 **SECTION 87.** 234.04 (2) of the statutes is amended to read:

15 234.04 (2) The Subject to the limitations on eligibility for projects or programs
16 and housing benefiting persons and families of low and moderate income under s.
17 234.038, the authority may make or participate in the making and enter into
18 commitments for the making of long-term mortgage loans to eligible sponsors of
19 housing projects for occupancy by persons and families of low and moderate income,
20 or for the making of homeownership mortgage loans or housing rehabilitation loans
21 or loans for the refinancing of qualified subprime loans under s. 234.592 to persons
22 and families of low and moderate income, an applicant under s. 234.59 or 234.592,
23 or other eligible beneficiaries as defined in s. 234.49. The loans may be made only
24 upon the determination by the authority that they are not otherwise available from
25 private lenders upon reasonably equivalent terms and conditions. The authority

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1 may not make a loan to a person whose name appears on the statewide support lien
2 docket under s. 49.854 (2) (b), unless the person provides to the authority a payment
3 agreement that has been approved by the county child support agency under s. 59.53
4 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). The
5 authority may employ, for such compensation as it determines, the services of any
6 financial institution in connection with any loan.

7 **SECTION 88.** 234.04 (3) of the statutes is amended to read:

8 234.04 (3) The Subject to the limitations on eligibility for projects or programs
9 and housing benefiting persons and families of low and moderate income under s.
10 234.038, the authority may make or participate in the making and enter into
11 commitments for the making of loans to any banking institution, savings bank,
12 savings and loan association or credit union organized under the laws of this or any
13 other state or of the United States having an office in this state, if the authority first
14 determines that the proceeds of such loans will be utilized for the purpose of making
15 long-term mortgage loans to persons or families of low and moderate income, or for
16 the purpose of providing residential housing for occupancy by persons or families of
17 low and moderate income, or for the purpose of making housing rehabilitation loans.

18 **SECTION 89.** 234.06 (1) of the statutes is amended to read:

19 234.06 (1) The Subject to the limitations on eligibility for projects or programs
20 and housing benefiting persons and families of low and moderate income under s.
21 234.038, the authority may, as authorized in the state housing strategy plan under
22 s. 16.302, use the moneys held in the housing development fund to make temporary
23 loans to eligible sponsors, with or without interest, and with such security for
24 repayment, if any, as the authority determines reasonably necessary and
25 practicable, solely from the housing development fund, to defray development costs

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1 for the construction of proposed housing projects for occupancy by persons and
2 families of low and moderate income. No temporary loan may be made unless the
3 authority may reasonably anticipate that satisfactory financing may be obtained by
4 the eligible sponsor for the permanent financing of the housing project.

5 **SECTION 90.** 234.06 (3) of the statutes is amended to read:

6 234.06 (3) The Subject to the limitations on eligibility for projects or programs
7 and housing benefiting persons and families of low and moderate income under s.
8 234.038, the authority may, as authorized in the state housing strategy plan under
9 s. 16.302, use the moneys held in the housing development fund to establish and
10 administer programs of grants to counties, municipalities, and eligible sponsors of
11 housing projects for persons of low and moderate income, to pay organizational
12 expenses, administrative costs, social services, technical services, training expenses,
13 or costs incurred or expected to be incurred by counties, municipalities, or sponsors
14 for land and building acquisition, construction, improvements, renewal,
15 rehabilitation, relocation, or conservation under a plan to provide housing or related
16 facilities, if the costs are not reimbursable from other private or public loan, grant,
17 or mortgage sources.

18 **SECTION 91.** 234.49 (2) (a) (intro.) of the statutes is amended to read:

19 234.49 (2) (a) (intro.) The Subject to the limitations on eligibility for projects
20 or programs and housing benefiting persons and families of low and moderate
21 income under s. 234.038, the authority has the following powers for the purpose of
22 implementing this section, in addition to all other powers granted by this chapter:

23 **SECTION 92.** 234.59 (2) (intro.) of the statutes is amended to read:

24 234.59 (2) (intro.) The authority shall, subject to the limitations on eligibility
25 for projects or programs and housing benefiting persons and families of low and

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1 moderate income under s. 234.038, establish and administer a homeownership
2 mortgage loan program to encourage homeownership and to facilitate the
3 acquisition or rehabilitation of eligible property by applicants. To implement the
4 program, the authority:

5 **SECTION 93.** 234.592 (2) (intro.) of the statutes is amended to read:

6 234.592 (2) (intro.) The authority shall, subject to the limitations on eligibility
7 for projects or programs and housing benefiting persons and families of low and
8 moderate income under s. 234.038, establish and administer a qualified subprime
9 loan refinancing program to encourage homeownership and to facilitate the
10 retention of eligible property by applicants. To implement the program, the
11 authority:

12 **SECTION 94.** 944.21 (8) (b) 4. of the statutes is amended to read:

13 944.21 (8) (b) 4. Any institution of higher education that is accredited, as
14 described in s. 39.30 (1) (d), 2011 stats., and is exempt from taxation under section
15 501 (c) (3) of the internal revenue code.

16 **SECTION 95.** 948.11 (4) (b) 4. of the statutes is amended to read:

17 948.11 (4) (b) 4. Any institution of higher education that is accredited, as
18 described in s. 39.30 (1) (d), 2011 stats., and is exempt from taxation under section
19 501 (c) (3) of the internal revenue code, as defined in s. 71.01 (6).

20 **SECTION 96. Nonstatutory provisions.**

21 (1) TRANSFER TO UNIVERSITY OF WISCONSIN SYSTEM OF UNENCUMBERED BALANCES
22 IN REPEALED HIGHER EDUCATIONAL AIDS BOARD APPROPRIATIONS. Notwithstanding
23 section 20.002 (3m) of the statutes, on the effective date of this subsection, there is
24 transferred to the appropriation account under section 20.285 (1) (k) of the statutes
25 an amount equal to the unencumbered balances in the appropriation accounts under

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1 section 20.235 (1) (b), (fd), (fe), (ff), (fg), (fj), (gm), (k), (ke), and (km) of the statutes,
2 as affected by this act, on the day before the effective date of this subsection. The
3 board of regents of the University of Wisconsin System shall use the amount
4 transferred under this subsection to reduce the tuition charged to enroll in
5 educational programs in that system.

6 **SECTION 97. Initial applicability.**

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

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

13 (3) **ELIGIBILITY FOR LOW-INCOME ENERGY ASSISTANCE.** The treatment of section
14 16.27 (5) (intro.) and (b) and (5m) of the statutes first applies to the eligibility of
15 households applying for low-income energy assistance under section 16.27 (4) of the
16 statutes on the effective date of this subsection or, if the department of
17 administration determines under section 16.27 (5m) (b) of the statutes, as created
18 by this act, that a federal waiver is needed, on the first day on which the waiver is
19 granted and in effect.

20 (4) **ELIGIBILITY FOR HOUSING ASSISTANCE; DEPARTMENT OF ADMINISTRATION.** The
21 treatment of sections 16.3025, 16.303 (1) (a), 16.305 (2) (d), and 16.306 (2) (a) and (c)
22 of the statutes first applies to housing, housing costs, utility-related costs, grants,
23 or loans provided, directly or indirectly, by the department of administration to
24 persons and families of low and moderate income on the effective date of this
25 subsection or, if the department of administration determines under section 16.3025

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1 of the statutes, as created by this act, that a federal waiver is needed, on the first day
2 on which the waiver is granted and in effect.

3 (5) ELIGIBILITY FOR HOUSING ASSISTANCE; WISCONSIN HOUSING AND ECONOMIC
4 DEVELOPMENT AUTHORITY. The treatment of sections 234.03 (intro.), 234.038, 234.04
5 (1), (2), and (3), 234.06 (1) and (3), 234.49 (2) (a) (intro.), 234.59 (2) (intro.), and
6 234.592 (2) (intro.) of the statutes first applies to assistance payments, housing,
7 housing assistance, grants, or loans provided, directly or indirectly, by the Wisconsin
8 Housing and Economic Development Authority to persons and families of low and
9 moderate income on the effective date of this subsection or, if the Wisconsin Housing
10 and Economic Development Authority determines under section 234.038 (2) of the
11 statutes, as created by this act, that a federal waiver is needed, on the first day on
12 which the waiver is granted and in effect.

13 (6) ELIGIBILITY FOR HOUSING ASSISTANCE; LOCAL HOUSING AUTHORITIES. The
14 treatment of section 66.1204 of the statutes first applies to assistance payments,
15 housing, housing assistance, grants, or loans provided, directly or indirectly, by a
16 housing authority created under subchapter XII of chapter 66 of the statutes to a
17 person of low income on the effective date of this subsection or, if such an authority
18 determines under section 66.1204 (2) of the statutes, as created by this act, that a
19 federal waiver is needed, on the first day on which the waiver is granted and in effect.

20 (7) HIGHER EDUCATION GRANTS AND SCHOLARSHIPS. The treatment of sections
21 36.11 (59) and 39.28 (7) of the statutes first applies to a grant or scholarship awarded
22 for the 2015–16 academic year.

23 (8) PARENTAL CHOICE PROGRAMS. The treatment of sections 118.60 (2) (a) 1. b. and
24 119.23 (2) (a) 1. b. of the statutes first applies to eligibility to participate in a parental
25 choice program in the 2014–15 school year.

2013-2014 DRAFTING INSERT
FROM THE
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INSERT 23-19

1 ^λ
2 **SECTION 1.** 49.148 (1m) (a) (intro.) of the statutes is amended to read:
3 49.148 (1m) (a) (intro.) Any Subject to sub. (2), any of the following may receive
 a monthly grant of ~~\$673~~ \$653:

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).
(END OF INSERT 23-19)

Basford, Sarah

From: Gibbs, Adam
Sent: Wednesday, March 12, 2014 10:41 AM
To: LRB.Legal
Subject: Draft Review: LRB -3902/2 Topic: Various modifications to programs for low-income persons

Please Jacket LRB -3902/2 for the SENATE.