

## Malaise, Gordon

---

**From:** Barman, Mike  
**Sent:** Thursday, April 07, 2016 10:52 AM  
**To:** Hurley, Peggy; Malaise, Gordon; Shea, Elisabeth  
**Cc:** Packnett, Greg  
**Subject:** Re-Draft requests ... "/P" Drafts

---

**From:** Packnett, Greg  
**Sent:** Thursday, April 07, 2016 10:44 AM  
**To:** LRB.Legal <lrblegal@legis.wisconsin.gov>  
**Subject:** P Drafts

Could we have /1's made for the following P drafts?

LRB-2585 ... PJH  
LRB-4709 ... PJH  
LRB-4788 ... GMM  
LRB-4791 ... EHS

Thanks a lot!

**Greg Packnett**  
Office of Sen. Lena Taylor  
608-266-5810



State of Wisconsin  
2015 - 2016 LEGISLATURE

IN 4/7  
Today - convert to /1

LRB-4788/P1  
GMM:emw

71

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

1        **AN ACT** *to repeal* 20.410 (3) (gg), 46.011 (1c), 46.011 (1p), 46.215 (2) (a) 3., 46.215  
2            (2) (c) 3., 46.22 (1) (b) 5m. d., 46.22 (1) (e) 3. c., 46.22 (2g) (d) 4., 46.23 (5) (a) 3.,  
3            46.23 (5) (c) 3., 46.23 (5) (n) 3., 49.11 (1c), 49.855 (2p), 301.01 (1n), 301.03 (18),  
4            301.031, 301.032, 301.06, 301.08 (2) (d) 5., 301.085 (2), 301.085 (4), 301.12,  
5            301.26 (title), 301.26 (1), 301.35 (2) (e), 302.386 (5) (c), 302.386 (5) (d), 938.48  
6            (intro.), 938.48 (1) and 938.48 (16); **to renumber** 20.410 (3) (title), 20.410 (3)  
7            (a), 20.410 (3) (ba), 20.410 (3) (c), 20.410 (3) (dm), 20.410 (3) (e), 20.410 (3) (i),  
8            20.410 (3) (jr), 20.410 (3) (jv), 20.410 (3) (kx), 20.410 (3) (ky), 20.410 (3) (kz),  
9            20.410 (3) (m), 20.410 (3) (n), 20.410 (3) (q), 20.437 (1) (kp), 20.437 (3), 48.526  
10           (title), 48.526 (2) (title), 48.526 (2) (a), 48.526 (2) (b), 48.526 (2m), 48.526 (3)  
11           (title), 48.526 (3) (a), 48.526 (6) (title), 48.526 (6) (b), 48.526 (7) (a) to (h), 48.526  
12           (8), 48.528 (title), 48.528 (2), 48.528 (3), 301.03 (10) (a), 301.03 (10) (b), 301.03  
13           (10) (d), 301.03 (10) (e), 301.03 (10) (f), 301.20, 301.26 (4) (title), 301.26 (4) (cm)  
14           3., 301.26 (4) (d) 5., 301.26 (4) (f), 301.37 (5), 938.48 (3), 938.48 (4), 938.48 (4m),  
15           938.48 (5), 938.48 (6) and 938.48 (13); **to renumber and amend** 20.410 (3) (cg),

1 20.410 (3) (g), 20.410 (3) (hm), 20.410 (3) (ho), 20.410 (3) (hr), 20.437 (1) (cj),  
2 20.437 (1) (cm), 48.526 (1), 48.526 (2) (c), 48.526 (3) (c), 48.526 (3) (dm), 48.526  
3 (3) (e), 48.526 (3) (em), 48.526 (6) (a), 48.526 (7) (intro.), 48.528 (1), 301.025,  
4 301.03 (10) (c), 301.03 (10) (g), 301.08 (1) (b) 3., 301.205, 301.26 (4) (a), 301.26  
5 (4) (b), 301.26 (4) (bm), 301.26 (4) (c), 301.26 (4) (cm) 1., 301.26 (4) (ct), 301.26  
6 (4) (cx), 301.26 (4) (d) 1., 301.26 (4) (d) 1m., 301.26 (4) (d) 2., 301.26 (4) (d) 3.,  
7 301.26 (4) (d) 4., 301.26 (4) (dt), 301.26 (4) (e), 301.26 (4) (ed), 301.26 (4) (eg),  
8 301.26 (4) (g), 301.335, 938.48 (14) and 938.54; *to amend* 14.92, 16.51 (7), 16.54  
9 (12) (b), 16.54 (12) (d), 20.435 (8) (mb), 20.437 (1) (kz), 20.437 (1) (o), 20.505 (8)  
10 (hm) 21d., 20.866 (1) (u), 20.921 (2) (a), 46.03 (18) (a), 46.057 (1), 46.057 (2),  
11 46.20 (3), 46.206 (1) (a), 46.21 (2) (j), 46.21 (5) (b), 46.215 (1) (d), 46.215 (2) (a)  
12 1., 46.215 (2) (a) 2., 46.215 (2) (c) 1., 46.215 (2) (c) 2., 46.215 (3), 46.22 (1) (b) 1.  
13 b., 46.22 (1) (b) 2. a., 46.22 (1) (b) 2. c., 46.22 (1) (b) 5m. a., 46.22 (1) (e) 3. a., 46.22  
14 (1) (e) 3. b., 46.22 (2g) (d) 2., 46.22 (2g) (d) 3., 46.23 (5) (a) 1., 46.23 (5) (a) 2., 46.23  
15 (5) (c) 1., 46.23 (5) (c) 2., 46.23 (5) (n) 1., 46.23 (5) (n) 2., 46.23 (5m) (c), 46.23 (6)  
16 (a) (intro.), 48.02 (10r), 48.565 (2) (c), 48.567 (1), 48.567 (1m), 48.567 (2), 49.175  
17 (1) (intro.), 49.175 (3), 49.275, 49.32 (1) (a), 49.32 (2) (b), 49.32 (2) (d), 49.325 (1)  
18 (a), 49.325 (2), 49.325 (2g) (a), 49.325 (2g) (b), 49.325 (2g) (c), 49.325 (2r) (a) 1.,  
19 49.325 (2r) (a) 2., 49.34 (1), 49.34 (2), 49.35 (1) (a), 49.35 (1) (b), 49.35 (2), 49.45  
20 (6m) (br) 1., 49.45 (25) (bj), 49.855 (3), 49.855 (4m) (b), 59.24, 102.27 (2) (a),  
21 230.08 (2) (e) 2m., 230.08 (2) (e) 3e., 301.001, 301.01 (4), 301.03 (9), 301.035 (2),  
22 301.035 (4), 301.07, 301.08 (2) (a), 301.27 (1), 301.36 (1), 301.37 (1), 302.31 (7),  
23 302.386 (1), 302.386 (2) (intro.), 302.386 (3) (a), 303.01 (2) (em), 303.01 (11) (a)  
24 1., 701.0503 (2) (intro.), 767.59 (1f) (b) 4., 767.59 (2) (c), 767.59 (2s), 859.07 (2)  
25 (a) 2., 859.07 (2) (a) 2., 859.15, 938.02 (4), 938.02 (10r), 938.02 (12r), 938.02

1 (19r), 938.06 (4), 938.069 (1) (intro.), 938.069 (2), 938.08 (3) (a) (intro.), 938.205  
2 (1) (c), 938.208 (1) (intro.), 938.209 (1) (a) (intro.), 938.209 (1) (a) 1., 938.209 (2m)  
3 (b), 938.22 (1) (a), 938.22 (2) (a), 938.22 (2) (b), 938.222 (2) (a) 1., 938.222 (2) (b)  
4 3., 938.222 (2) (b) 4., 938.223 (2) (a) 1., 938.223 (2) (b) 3., 938.223 (2) (b) 4.,  
5 938.224 (1), 938.224 (2) (a) 1., 938.224 (2) (a) 2., 938.224 (2) (b), 938.224 (3) (a),  
6 938.224 (3) (b), 938.224 (4), 938.225, 938.23 (1m) (a), 938.295 (2) (c), 938.296 (6),  
7 938.30 (6) (b), 938.31 (7) (b), 938.33 (4m) (intro.), 938.33 (4m) (b), 938.34 (2) (a),  
8 938.34 (2) (b), 938.34 (3) (f) (intro.), 938.34 (4m) (intro.), 938.34 (4n) (intro.),  
9 938.34 (6s), 938.34 (8d) (c), 938.355 (6) (d) 1., 938.355 (6d) (a) 1., 938.355 (6d)  
10 (a) 2., 938.355 (6d) (b) 1., 938.355 (6d) (b) 2., 938.355 (6m) (a) 1g., 938.357 (4)  
11 (a), 938.357 (4) (b) 1., 938.357 (4) (b) 2., 938.357 (4) (b) 4., 938.357 (4) (c) 1.,  
12 938.357 (4) (c) 2., 938.357 (4) (c) 4., 938.357 (4g) (a), 938.357 (4g) (b), 938.357  
13 (4m), 938.357 (5) (a), 938.357 (5) (g), 938.357 (5m) (a), 938.36 (1) (a), 938.36 (2),  
14 938.363 (1) (c), 938.363 (2), 938.38 (1) (a), 938.396 (2g) (b) 1., 938.485 (1),  
15 938.485 (4), 938.485 (5), 938.49 (title), 938.49 (1), 938.49 (2) (intro.), 938.49 (2)  
16 (a), 938.50, 938.505 (1), 938.505 (2) (a) (intro.), 938.505 (2) (b), 938.51 (1)  
17 (intro.), 938.51 (1d) (intro.), 938.51 (1m), 938.51 (2), 938.51 (3), 938.51 (4)  
18 (intro.), 938.52 (title), 938.52 (1) (intro.), 938.52 (1) (f), 938.52 (2), 938.52 (4),  
19 938.53, 938.533 (2) (intro.), 938.533 (3), 938.533 (4), 938.534 (1) (b) 1., 938.534  
20 (1) (b) 2., 938.534 (2), 938.535, 938.538 (2) (intro.), 938.538 (3) (a) (intro.),  
21 938.538 (3) (a) 9., 938.538 (4), 938.538 (5) (a), 938.538 (5) (b), 938.538 (6),  
22 938.538 (7), 938.539 (2), 938.539 (6), 938.549 (1) (intro.), 938.57 (1) (g), 938.57  
23 (4), 938.78 (1) and 938.78 (3); and **to create** 20.437 (4) (o), 938.226, 938.227,  
24 938.485 (10) (title) and 938.485 (18) of the statutes; **relating to:** the transfer

1 of juvenile correctional services from the Department of Corrections to the  
2 Department of Children and Families and granting rule-making authority.

---

***Analysis by the Legislative Reference Bureau***

This bill transfers from the Department of Corrections to the Department of Children and Families the administration of all juvenile correctional services currently administered by DOC. Under current law, DCF administers community-based juvenile delinquency-related services, which are defined as juvenile delinquency-related services provided under the Juvenile Justice Code, other than juvenile correctional services that are provided for a juvenile who is being held in a juvenile detention facility or who has been adjudged delinquent, placed under the supervision of DOC, and placed in a juvenile correctional facility, in the Serious Juvenile Offender Program, or on aftercare supervision administered by DOC. This bill transfers the administration of those juvenile correctional services from DOC to DCF.

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:***

3 **SECTION 1.** 14.92 of the statutes is amended to read:

4 **14.92 Interstate Commission for Juveniles.** There is created an Interstate  
5 Commission for Juveniles as specified in s. 938.999 (3). The member of the  
6 commission representing this state shall be the compact administrator, as defined  
7 in s. 938.999 (2) (c), the deputy compact administrator, as defined in s. 938.999 (2)  
8 (f), or a designee, as specified in s. 938.999 (3) (b). The commission member shall  
9 serve without compensation but shall be reimbursed from the appropriation account  
10 under s. ~~20.410 (3)~~ 20.437 (4) (a) for actual and necessary expenses incurred in the  
11 performance of the commission member's duties. The commission shall have the  
12 powers, duties, and responsibilities set forth in s. 938.999.

13 **SECTION 2.** 16.51 (7) of the statutes is amended to read:

1           **16.51 (7)** AUDIT CLAIMS FOR EXPENSES IN CONNECTION WITH PRISONERS AND  
2 JUVENILES IN JUVENILE CORRECTIONAL FACILITIES. Receive, examine, determine, and  
3 audit claims, duly certified and approved by the department of corrections or the  
4 department of children and families, from the county clerk of any county in behalf  
5 of the county, which are presented for payment to reimburse the county for certain  
6 expenses incurred or paid by it in reference to all matters growing out of actions and  
7 proceedings involving prisoners in state prisons, as defined in s. 302.01, or juveniles  
8 in juvenile correctional facilities, as defined in s. 938.02 (10p), including prisoners  
9 or juveniles transferred to a mental health institute for observation or treatment,  
10 when the proceedings are commenced in counties in which the prisons or juvenile  
11 correctional facilities are located by a district attorney or by the prisoner or juvenile  
12 as a postconviction remedy or a matter involving the prisoner's status as a prisoner  
13 or the juvenile's status as a resident of a juvenile correctional facility and for certain  
14 expenses incurred or paid by it in reference to holding those juveniles in secure  
15 custody while those actions or proceedings are pending. Expenses shall only include  
16 the amounts that were necessarily incurred and actually paid and shall be no more  
17 than the legitimate cost would be to any other county had the offense or crime  
18 occurred therein.

19           **SECTION 3.** 16.54 (12) (b) of the statutes is amended to read:

20           **16.54 (12) (b)** The department of children and families may not expend or  
21 encumber any moneys credited to the appropriation account under s. 20.437 (2) (mm)  
22 or ~~(3)~~ **(5)** (mm) unless the department of children and families submits a plan for the  
23 expenditure of the moneys to the department of administration and the department  
24 of administration approves the plan.

25           **SECTION 4.** 16.54 (12) (d) of the statutes is amended to read:

1           16.54 (12) (d) At the end of each fiscal year, the department of administration  
2 shall determine the amount of moneys that remain in the appropriation accounts  
3 under ss. 20.435 (8) (mm) and 20.437 (2) (mm) and ~~(3)~~ (5) (mm) that have not been  
4 approved for encumbrance or expenditure by the department pursuant to a plan  
5 submitted under par. (a) or (b) and shall require that such moneys be lapsed to the  
6 general fund. The department shall notify the cochairpersons of the joint committee  
7 on finance, in writing, of the department's action under this paragraph.

8           **SECTION 5.** 20.410 (3) (title) of the statutes is renumbered 20.437 (4) (title).

9           **SECTION 6.** 20.410 (3) (a) of the statutes is renumbered 20.437 (4) (a).

10          **SECTION 7.** 20.410 (3) (ba) of the statutes is renumbered 20.437 (4) (ba).

11          **SECTION 8.** 20.410 (3) (c) of the statutes is renumbered 20.437 (4) (c).

12          **SECTION 9.** 20.410 (3) (cg) of the statutes, as affected by 2015 Wisconsin Act 55,  
13 is renumbered 20.437 (4) (cg) and amended to read:

14           20.437 (4) (cg) *Serious juvenile offenders.* Biennially, the amounts in the  
15 schedule for juvenile correctional institution, alternate care, community  
16 supervision, and other juvenile program services specified in s. 938.538 (3) provided  
17 for the persons specified in s. ~~301.26~~ 938.526 (4) (cm) and for juvenile correctional  
18 institution services for persons placed in juvenile correctional institutions under s.  
19 973.013 (3m).

20          **SECTION 10.** 20.410 (3) (dm) of the statutes is renumbered 20.437 (4) (dm).

21          **SECTION 11.** 20.410 (3) (e) of the statutes is renumbered 20.437 (4) (e).

22          **SECTION 12.** 20.410 (3) (g) of the statutes is renumbered 20.437 (1) (g) and  
23 amended to read:

1           20.437 (1) (g) *Legal services collections*. All moneys received as reimbursement  
2 for costs of legal actions authorized under ss. ~~301.03 (18)~~ and ~~301.12 49.32 and 49.345~~  
3 to be used to pay costs associated with such legal actions.

4           **SECTION 13.** 20.410 (3) (gg) of the statutes is repealed.

5           **SECTION 14.** 20.410 (3) (hm) of the statutes is renumbered 20.437 (4) (hm) and  
6 amended to read:

7           20.437 (4) (hm) *Juvenile correctional services*. The amounts in the schedule for  
8 juvenile correctional services specified in ss. 49.45 (25) (bj) and ~~301.26 938.526~~ (4)  
9 (c) and (d). All moneys received from the sale of surplus property, including vehicles,  
10 from juvenile correctional institutions operated by the department, all moneys  
11 received as payments in restitution of property damaged at juvenile correctional  
12 institutions operated by the department, all moneys received from miscellaneous  
13 services provided at a juvenile correctional institution operated by the department,  
14 all moneys transferred under s. ~~301.26 938.526~~ (4) (cm), all moneys transferred  
15 under s. ~~301.26 938.526~~ (4) (ct), and, except as otherwise provided in pars. (ho) and  
16 (hr), all moneys received in payment for juvenile correctional services as specified in  
17 s. ~~301.26 938.526~~ (4) (d), (dt), and (g) shall be credited to this appropriation account.  
18 If moneys generated by the daily rate under s. ~~301.26 938.526~~ (4) (d) exceed actual  
19 fiscal year institutional costs by more than ~~2%~~ 2 percent, all moneys in excess of ~~2%~~  
20 2 percent shall be remitted to the counties during the subsequent calendar year or  
21 transferred to the appropriation account under par. (kx) during the subsequent fiscal  
22 year. Each county and the department shall receive a proportionate share of the  
23 remittance and transfer depending on the total number of days of placement at  
24 juvenile correctional institutions including the Mendota Juvenile Treatment Center.  
25 Counties shall use the funds for purposes specified in s. ~~301.26 938.526~~. The



1 department shall deposit in the general fund the amounts transferred under this  
2 paragraph to the appropriation account under par. (kx).

3 **SECTION 15.** 20.410 (3) (ho) of the statutes is renumbered 20.437 (4) (ho) and  
4 amended to read:

5 20.437 (4) (ho) *Juvenile alternate care services.* The amounts in the schedule  
6 for providing alternate care services for delinquent juveniles under ss. 49.19 (10) (d),  
7 49.45 (25) (bj), ~~301.26~~ 938.526 (4) (c), ~~938.48 (4)~~ 938.485 (8) and (14), and 938.52. All  
8 moneys transferred under s. ~~301.26~~ 938.526 (4) (cm) and all moneys received in  
9 payment for providing alternate care services for delinquent juveniles under ss.  
10 49.19 (10) (d), ~~938.48 (4)~~ 938.485 (8) and (14), and 938.52 as specified in s. ~~301.26~~  
11 938.526 (4) (d), (e), and (ed) shall be credited to this appropriation account. If moneys  
12 generated by the daily rate under s. ~~301.26~~ 938.526 (4) (d) exceed actual fiscal year  
13 alternate care costs, that excess shall be transferred to the appropriation account  
14 under par. (hm) as provided in s. ~~301.26~~ 938.526 (4) (ct), except that, if those moneys  
15 generated exceed those costs by more than 2 percent, all moneys in excess of that 2  
16 percent shall be remitted to the counties during the subsequent calendar year or  
17 transferred to the appropriation account under par. (kx) during the subsequent fiscal  
18 year. Each county and the department shall receive a proportionate share of the  
19 remittance and transfer depending on the total number of days of placement in  
20 alternate care. Counties shall use the funds for purposes specified in s. ~~301.26~~  
21 938.526. The department shall deposit in the general fund the amounts transferred  
22 under this paragraph to the appropriation account under par. (kx).

23 **SECTION 16.** 20.410 (3) (hr) of the statutes, as affected by 2015 Wisconsin Act  
24 55, is renumbered 20.437 (4) (hr) and amended to read:

1           20.437 (4) (hr) *Juvenile community supervision services*. The amounts in the  
2 schedule for the community supervision services specified in ss. 49.45 (25) (bj) and  
3 ~~301.26 938.526~~ (4) (c) and (eg). All moneys received in payment for those services as  
4 specified in s. ~~301.26 938.526~~ (4) (d) and (eg), and all moneys transferred under s.  
5 ~~301.26 938.526~~ (4) (cm), shall be credited to this appropriation account. If moneys  
6 generated by the daily rate under s. ~~301.26 938.526~~ (4) (d) exceed actual fiscal year  
7 community supervision services costs, that excess shall be transferred to the  
8 appropriation account under par. (hm) as provided in s. ~~301.26 938.526~~ (4) (ct).

9           **SECTION 17.** 20.410 (3) (i) of the statutes is renumbered 20.437 (4) (i).

10          **SECTION 18.** 20.410 (3) (jr) of the statutes is renumbered 20.437 (4) (jr).

11          **SECTION 19.** 20.410 (3) (jv) of the statutes is renumbered 20.437 (4) (jv).

12          **SECTION 20.** 20.410 (3) (kx) of the statutes is renumbered 20.437 (4) (kx).

13          **SECTION 21.** 20.410 (3) (ky) of the statutes is renumbered 20.437 (4) (ky).

14          **SECTION 22.** 20.410 (3) (kz) of the statutes is renumbered 20.437 (4) (kz).

15          **SECTION 23.** 20.410 (3) (m) of the statutes is renumbered 20.437 (4) (m).

16          **SECTION 24.** 20.410 (3) (n) of the statutes is renumbered 20.437 (4) (n).

17          **SECTION 25.** 20.410 (3) (q) of the statutes is renumbered 20.437 (4) (q).

18          **SECTION 26.** ~~20.435 (8) (mb) of the statutes is amended to read:~~ *as amended by 2015 WA 172,*

19           20.435 (8) (mb) *Income augmentation services receipts*. All moneys that are  
20 received under 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v as the result of  
21 income augmentation activities for which the state has contracted, to be used as  
22 provided in s. 46.46; and all moneys that are received under 42 USC 1396 to 1396v  
23 in reimbursement of the cost of providing targeted case management services to  
24 children whose care is not eligible for reimbursement under 42 USC 670 to 679a, to  
25 be transferred to the appropriation account under s. 20.437 (3) (5) (kp). All moneys

1 received under this paragraph in excess of the moneys necessary to support the costs  
2 specified in ss. ~~46.46 and 48.567~~ shall be deposited in the general fund as a  
3 nonappropriated receipt.

4       **SECTION 27.** 20.437 (1) (cj) of the statutes, as affected by 2015 Wisconsin Act  
5 55, is renumbered 20.437 (4) (cj) and amended to read:

6       20.437 (4) (cj) *Community youth and family aids.* The amounts in the schedule  
7 for the improvement and provision of ~~community-based~~ juvenile  
8 delinquency-related services under s. ~~48.526~~ and ~~juvenile correctional services~~  
9 ~~under s. 301.26~~ 938.526 and for reimbursement to counties having a population of  
10 less than 750,000 for the cost of court attached intake services as provided in s.  
11 938.06 (4). Disbursements may be made from this appropriation account under s.  
12 49.32 (2). Refunds received relating to payments made under s. 49.32 (2) shall be  
13 returned to this appropriation account. Notwithstanding ss. 20.001 (3) (a) and  
14 20.002 (1), the department of children and families may transfer moneys under this  
15 paragraph between fiscal years. Except for moneys authorized for transfer under s.  
16 ~~48.526~~ 938.526 (3), all moneys from this paragraph allocated under s. ~~48.526~~ 938.526  
17 (3) and not spent or encumbered by counties by December 31 of each year shall lapse  
18 into the general fund on the succeeding January 1. The joint committee on finance  
19 may transfer additional moneys to the next calendar year.

20       **SECTION 28.** 20.437 (1) (cm) of the statutes, as affected by 2015 Wisconsin Act  
21 55, is renumbered 20.437 (4) (cm) and amended to read:

22       20.437 (4) (cm) *Community intervention program.* The amounts in the  
23 schedule for the community intervention program under s. ~~48.528~~ 938.528.

24       **SECTION 29.** 20.437 (1) (kp) of the statutes, as affected by 2015 Wisconsin Act  
25 55, is renumbered 20.437 (4) (kp).

1           **SECTION 30.** 20.437 (1) (kz) of the statutes, as affected by 2015 Wisconsin Act  
2 55, is amended to read:

3           20.437 (1) (kz) *Interagency and intra-agency aids; tribal placements and*  
4 *guardianships.* The amounts in the schedule to be used for unexpected or unusually  
5 high-cost out-of-home care placements of Indian children by tribal courts, other  
6 than placements to which ~~par. sub. (4)~~ (kp) applies, and for subsidized guardianship  
7 payments under s. 48.623 (1) or (6) for guardianships of Indian children ordered by  
8 tribal courts. All moneys transferred from the appropriation account under s. 20.505  
9 (8) (hm) 21. shall be credited to this appropriation account. Notwithstanding s.  
10 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the  
11 appropriation account under section 20.505 (8) (hm).

12           **SECTION 31.** 20.437 (1) (o) of the statutes, as affected by 2015 Wisconsin Act 55,  
13 section 723, is amended to read:

14           20.437 (1) (o) *Federal aid; children, youth, and family aids.* All federal moneys  
15 received in amounts pursuant to allocation plans developed by the department for  
16 the provision or purchase of services authorized under ~~pars. par. (b) and (ej)~~ and all  
17 federal moneys received as child welfare funds under 42 USC 620 to 626 for the  
18 provision or purchase of child welfare projects and services. Disbursements from  
19 this appropriation may be made directly to counties for services to children and  
20 families under s. 49.32 (2) (b) or 49.325 or directly to counties in accordance with  
21 federal requirements for the disbursement of federal funds.

22           **SECTION 32.** 20.437 (3) of the statutes ~~is~~ renumbered 20.437 (5). *as affected by 2015 Wisconsin Act 172*

23           **SECTION 33.** 20.437 (4) (o) of the statutes is created to read:

24           20.437 (4) (o) *Federal aid; community youth and family aids.* All federal  
25 moneys received in amounts pursuant to allocation plans developed by the

1 department for the provision or purchase of services authorized under par. (cj).  
2 Disbursements from this appropriation may be made directly to counties for services  
3 to children and families under s. 49.32 (2) (b) or 49.325 or directly to counties in  
4 accordance with federal requirements for the disbursement of federal funds.

5 **SECTION 34.** 20.505 (8) (hm) 21d. of the statutes, as affected by 2015 Wisconsin  
6 Act 55, is amended to read:

7 20.505 (8) (hm) 21d. The amount transferred to s. 20.437 ~~(1) (4)~~ (kp) shall be  
8 the amount in the schedule under s. 20.437 ~~(1) (4)~~ (kp).

9 **SECTION 35.** 20.866 (1) (u) of the statutes, as affected by 2015 Wisconsin Act  
10 55, is amended to read:

11 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
12 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (s), 20.190 (1)  
13 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),  
14 20.255 (1) (d), 20.285 (1) (d), (je), and (gj), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7)  
15 (aa), (ac), (ad), (ag), (aq), (ar), (at), (au), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr), (cs),  
16 (ct), (ea), (eq), and (er), 20.395 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and (ko)  
17 and ~~(3) (e)~~, 20.435 (2) (ee), 20.437 (4) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t)  
18 and (4) (qm), 20.505 (4) (es), (et), (ha), and (hb) and (5) (c), (g), and (kc), 20.855 (8) (a),  
19 and 20.867 (1) (a) and (b) and (3) (a), (b), (bb), (bc), (bd), (be), (bf), (bg), (bh), (bj), (bL),  
20 (bm), (bn), (bq), (br), (bt), (bu), (bv), (bw), (bx), (cb), (cd), (cf), (ch), (cj), (g), (h), (i), (kd),  
21 and (q) for the payment of principal, interest, premium due, if any, and payment due,  
22 if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8)  
23 (a) relating to any public debt contracted under subchs. I and IV of ch. 18.

24 **SECTION 36.** 20.921 (2) (a) of the statutes is amended to read:

1           20.921 (2) (a) Whenever it becomes necessary in pursuance of any federal or  
2 state law or court-ordered assignment of income under s. 46.10 (14) (e), 49.345 (14)  
3 (e), ~~301.12 (14) (e)~~, 767.225 (1) (L), 767.513 (3), or 767.75 to make deductions from  
4 the salaries of state officers or employees or employees of the University of Wisconsin  
5 Hospitals and Clinics Authority, the state agency or authority by which the officers  
6 or employees are employed is responsible for making those deductions and paying  
7 over the total of those deductions for the purposes provided by the laws or orders  
8 under which they were made.

9           **SECTION 37.** 46.011 (1c) of the statutes, as created by 2015 Wisconsin Act 55,  
10 is repealed.

11           **SECTION 38.** 46.011 (1p) of the statutes, as created by 2015 Wisconsin Act 55,  
12 is repealed.

13           **SECTION 39.** 46.03 (18) (a) of the statutes, as affected by 2015 Wisconsin Act 55,  
14 is amended to read:

15           46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department  
16 shall establish a uniform system of fees for services provided or purchased by the  
17 department, or a county department under s. 46.215, 46.22, 51.42, or 51.437, except  
18 for services provided under ~~ch. 48 and 938~~ and subch. III of ch. 49;  
19 ~~community-based juvenile delinquency-related services; juvenile correctional~~  
20 ~~services; services provided to courts; and outreach, information, and referral~~  
21 ~~services; or when, as determined by the department, a fee is administratively~~  
22 ~~unfeasible or would significantly prevent accomplishing the purpose of the service.~~  
23 A county department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees that  
24 it collects under this program to cover the cost of those services.

25           **SECTION 40.** 46.057 (1) of the statutes is amended to read:

1           46.057 (1) The department shall establish, maintain, and operate the Mendota  
2 juvenile treatment center on the grounds of the Mendota Mental Health Institute.  
3 The department may designate staff at the Mendota Mental Health Institute as  
4 responsible for administering, and providing services at, the center.  
5 Notwithstanding ss. ~~301.02, 301.03, and 301.36~~ (1) 938.226 (1) and 938.485, the  
6 department shall operate the Mendota juvenile treatment center as a juvenile  
7 correctional facility, as defined in s. 938.02 (10p). The center shall not be considered  
8 a hospital, as defined in s. 50.33 (2), an inpatient facility, as defined in s. 51.01 (10),  
9 a state treatment facility, as defined in s. 51.01 (15), or a treatment facility, as defined  
10 in s. 51.01 (19). The center shall provide psychological and psychiatric evaluations  
11 and treatment for juveniles whose behavior presents a serious problem to  
12 themselves or others in other juvenile correctional facilities and whose mental  
13 health needs can be met at the center. With the approval of the department of health  
14 services, the department of ~~corrections~~ children and families may transfer to the  
15 center any juvenile who has been placed in a juvenile correctional facility under the  
16 supervision of the department of ~~corrections~~ children and families under s. 938.183,  
17 938.34 (4h) or (4m), or 938.357 (4) or (5) (e) in the same manner that the department  
18 of ~~corrections~~ children and families transfers juveniles between other juvenile  
19 correctional facilities.

20           **SECTION 41.** 46.057 (2) of the statutes, as affected by 2015 Wisconsin Act 55,  
21 is amended to read:

22           46.057 (2) From the appropriation account under s. ~~20.410 (3)~~ 20.437 (4) (ba),  
23 the department of ~~corrections~~ children and families shall transfer to the  
24 appropriation account under s. 20.435 (2) (kx) \$1,365,500 in each fiscal year and,  
25 from the appropriation account under s. ~~20.410 (3)~~ 20.437 (4) (hm), the department

1 of ~~corrections~~ children and families shall transfer to the appropriation account under  
2 s. 20.435 (2) (kx) \$2,929,200 in fiscal year 2015–16 and \$2,997,600 in fiscal year  
3 2016–17, for services for juveniles placed at the Mendota juvenile treatment center.  
4 The department of health services may charge the department of ~~corrections~~  
5 children and families not more than the actual cost of providing those services.

6 **SECTION 42.** 46.20 (3) of the statutes is amended to read:

7 46.20 (3) Upon approval of the site, plans and specifications, as provided in ss.  
8 46.17 ~~and~~, 301.37, and 938.227 as to other institutions, the joint committee shall  
9 report to the several county boards the estimated cost of the site and buildings, and  
10 the amount thereof chargeable to each county on the basis set forth in sub. (6) (a),  
11 appending to each report a copy of the plans and specifications and all matter  
12 relating to the site and buildings. If the report is approved by each county board, the  
13 joint committee shall purchase the site and cause the buildings to be erected in  
14 accordance with the plans and specifications.

15 **SECTION 43.** 46.206 (1) (a) of the statutes, as affected by 2015 Wisconsin Act 55,  
16 is amended to read:

17 46.206 (1) (a) The department shall supervise the administration of social  
18 services, except for social services provided under ~~eh. chs. 48 and 938~~ and subch. III  
19 of ch. 49, ~~community-based juvenile delinquency-related services, and juvenile~~  
20 ~~correctional services~~. The department shall submit to the federal authorities state  
21 plans for the administration of social services, except for social services provided  
22 under ~~eh. chs. 48 and 938~~ and subch. III of ch. 49, ~~community-based juvenile~~  
23 ~~delinquency-related services, and juvenile correctional services~~, in such form and  
24 containing such information as the federal authorities require, and shall comply  
25 with all requirements prescribed to ensure their correctness.



1           **SECTION 44.** 46.21 (2) (j) of the statutes is amended to read:

2           46.21 (2) (j) May exercise approval or disapproval power over contracts and  
3 purchases of the director that are for \$50,000 or more, except that the county board  
4 of supervisors may not exercise approval or disapproval power over any personal  
5 service contract or over any contract or purchase of the director that relates to  
6 community living arrangements, adult family homes, or foster homes and that was  
7 entered into pursuant to a contract under s. 46.031 (2g) or ~~301.031~~ 49.325 (2g),  
8 regardless of whether the contract mentions the provider, except as provided in par.  
9 (m). The county board of supervisors may not exercise approval or disapproval power  
10 over any contract relating to mental health or mental health institutions, programs,  
11 or services. This paragraph does not preclude the county board of supervisors from  
12 creating a central purchasing department for all county purchases that are not  
13 related to mental health.

14           **SECTION 45.** 46.21 (5) (b) of the statutes is amended to read:

15           46.21 (5) (b) Sections 46.10, 49.08, 49.345, and 49.90, ~~and 301.12~~ govern the  
16 support and maintenance of persons in any of the institutions specified in sub. (2) (a).

17           **SECTION 46.** 46.215 (1) (d) of the statutes, as affected by 2015 Wisconsin Act 55,  
18 is amended to read:

19           46.215 (1) (d) To make investigations that relate to services under subchs. IV  
20 and V of ch. 49 upon request by the department of health services and to make  
21 investigations that relate to programs under ~~ch. chs. 48 and 938~~ and 938 and subch. III of ch.  
22 49 ~~or to community-based juvenile delinquency-related services~~ upon request by the  
23 department of children and families.

24           **SECTION 47.** 46.215 (2) (a) 1. of the statutes, as affected by 2015 Wisconsin Act  
25 55, is amended to read:

1           46.215 (2) (a) 1. In order to ensure the availability of a full range of care and  
2 services, the county department of social services may contract, either directly or  
3 through the department of health services, with public or voluntary agencies or  
4 others to purchase, in full or in part, care and services, except as provided under  
5 subch. III of ch. 49 ~~and s. 301.08 (2) and except for community-based juvenile~~  
6 ~~delinquency-related services~~, that the county department of social services is  
7 authorized by any statute to furnish in any manner. That care and those services  
8 may be purchased from the department of health services if the department of health  
9 services has staff to furnish that care and those services. If the county department  
10 of social services has adequate staff, it may sell that care and those services directly  
11 to another county or state agency.

12           **SECTION 48.** 46.215 (2) (a) 2. of the statutes, as affected by 2015 Wisconsin Act  
13 55, is amended to read:

14           46.215 (2) (a) 2. In order to ensure the availability of a full range of care and  
15 services, the county department of social services may contract, either directly or  
16 through the department of children and families, with public or voluntary agencies,  
17 or others to purchase, in full or in part, care and services under ~~ch. chs. 48 and 938~~  
18 ~~and subch. III of ch. 49 and community-based juvenile delinquency-related services~~  
19 that the county department of social services is authorized to furnish. That care and  
20 those services may be purchased from the department of children and families if the  
21 department of children and families has staff to furnish that care and those services.  
22 If the county department of social services has adequate staff, it may sell that care  
23 and those services directly to another county or state agency.

24           **SECTION 49.** 46.215 (2) (a) 3. of the statutes is repealed.

1           **SECTION 50.** 46.215 (2) (c) 1. of the statutes, as affected by 2015 Wisconsin Act  
2 55, is amended to read:

3           46.215 (2) (c) 1. A county department of social services shall develop, under the  
4 requirements of s. 46.036, plans and contracts for the purchase of care and services,  
5 except for care and services under subch. III of ch. 49 ~~or s. 301.08 (2) and~~  
6 ~~community-based juvenile delinquency-related services.~~ The department of health  
7 services may review the contracts and approve them if they are consistent with s.  
8 46.036 and if state or federal funds are available for those purposes. The joint  
9 committee on finance may require the department of health services to submit the  
10 contracts to the committee for review and approval. The department of health  
11 services may not make any payments to a county for programs included in a contract  
12 under review by the committee. The department of health services shall reimburse  
13 each county for the contracts from the appropriations under s. 20.435 (7) (b) and (o),  
14 as appropriate, under s. 46.495.

15           **SECTION 51.** 46.215 (2) (c) 2. of the statutes, as affected by 2015 Wisconsin Act  
16 55, is amended to read:

17           46.215 (2) (c) 2. A county department of social services shall develop, under the  
18 requirements of s. 49.34, plans and contracts for the purchase of care and services  
19 under ~~ch. chs. 48 and 938~~ and subch. III of ch. 49 ~~and of community-based juvenile~~  
20 ~~delinquency-related services.~~ The department of children and families may review  
21 the contracts and approve them if they are consistent with s. 49.34 and if state or  
22 federal funds are available for those purposes. The joint committee on finance may  
23 require the department of children and families to submit the contracts to the  
24 committee for review and approval. The department of children and families may

1 not make any payments to a county for programs included in a contract under review  
2 by the committee.

3 **SECTION 52.** 46.215 (2) (c) 3. of the statutes, as affected by 2015 Wisconsin Act  
4 55, is repealed.

5 **SECTION 53.** 46.215 (3) of the statutes is amended to read:

6 46.215 (3) PROGRAM BUDGETS. The county department of social services shall  
7 submit a final budget to the department of health services under s. 46.031 (1), to the  
8 department of corrections under s. 301.031 (1), and to the department of children and  
9 families under s. 49.325 (1), for authorized services.

10 **SECTION 54.** 46.22 (1) (b) 1. b. of the statutes, as affected by 2015 Wisconsin Act  
11 55, is amended to read:

12 46.22 (1) (b) 1. b. To make investigations that relate to welfare services, except  
13 for welfare services provided under ~~ch. 48 and 938~~ and subch. III of ch. 49,  
14 ~~community-based juvenile delinquency-related services, and juvenile correctional~~  
15 ~~services,~~ upon request by the department of health services.

16 **SECTION 55.** 46.22 (1) (b) 2. a. of the statutes, as created by 2015 Wisconsin Act  
17 55, is amended to read:

18 46.22 (1) (b) 2. a. To administer ~~community-based juvenile~~  
19 ~~delinquency-related services~~ under s. ~~48.526~~ 938.526.

20 **SECTION 56.** 46.22 (1) (b) 2. c. of the statutes, as affected by 2015 Wisconsin Act  
21 55, is amended to read:

22 46.22 (1) (b) 2. c. To make investigations as provided under ~~ch. 48 and 938~~  
23 and subch. III of ch. 49 ~~and investigations relating to community-based juvenile~~  
24 ~~delinquency-related services~~ upon request by the department of children and  
25 families.

1           **SECTION 57.** 46.22 (1) (b) 5m. a. of the statutes, as affected by 2015 Wisconsin  
2 Act 55, is amended to read:

3           46.22 (1) (b) 5m. a. To purchase juvenile ~~correctional~~ delinquency-related  
4 services under s. ~~301.26~~ 938.526.

5           **SECTION 58.** 46.22 (1) (b) 5m. d. of the statutes is repealed.

6           **SECTION 59.** 46.22 (1) (e) 3. a. of the statutes, as affected by 2015 Wisconsin Act  
7 55, is amended to read:

8           46.22 (1) (e) 3. a. A county department of social services shall develop, under  
9 the requirements of s. 46.036, plans and contracts for the purchase of care and  
10 services, except for care and services provided under ~~ch. chs. 48, and 938 and~~ subch.  
11 III of ch. 49, ~~and s. 301.08 (2) and community-based juvenile delinquency-related~~  
12 ~~services~~. The department of health services may review the contracts and approve  
13 them if they are consistent with s. 46.036 and to the extent that state or federal funds  
14 are available for those purposes. The joint committee on finance may require the  
15 department of health services to submit the contracts to the committee for review  
16 and approval. The department of health services may not make any payments to a  
17 county for programs included in the contract that is under review by the committee.  
18 The department of health services shall reimburse each county for the contracts from  
19 the appropriations under s. 20.435 (7) (b) and (o) according to s. 46.495.

20           **SECTION 60.** 46.22 (1) (e) 3. b. of the statutes, as affected by 2015 Wisconsin Act  
21 55, is amended to read:

22           46.22 (1) (e) 3. b. A county department of social services shall develop, under  
23 the requirements of s. 49.34, plans and contracts for the purchase of care and services  
24 under ~~ch. chs. 48 and 938 and~~ subch. III of ch. 49 ~~and of community-based juvenile~~  
25 ~~delinquency-related services~~. The department of children and families may review

1 the contracts and approve them if they are consistent with s. 49.34 and to the extent  
2 that state or federal funds are available for such purposes. The joint committee on  
3 finance may require the department of children and families to submit the contracts  
4 to the committee for review and approval. The department of children and families  
5 may not make any payments to a county for programs included in the contract that  
6 is under review by the committee.

7 **SECTION 61.** 46.22 (1) (e) 3. c. of the statutes, as affected by 2015 Wisconsin Act  
8 55, is repealed.

9 **SECTION 62.** 46.22 (2g) (d) 2. of the statutes, as affected by 2015 Wisconsin Act  
10 55, is amended to read:

11 46.22 (2g) (d) 2. A final budget for submission to the department of health  
12 services in accordance with s. 46.031 (1) for authorized services, except services  
13 under ~~ch. 48, and 938 and~~ subch. III of ch. 49, ~~or s. 301.08 (2) and authorized~~  
14 ~~community-based juvenile delinquency-related services.~~

15 **SECTION 63.** 46.22 (2g) (d) 3. of the statutes, as affected by 2015 Wisconsin Act  
16 55, is amended to read:

17 46.22 (2g) (d) 3. A final budget for submission to the department of children  
18 and families in accordance with s. 49.325 for authorized services under ~~ch. 48~~  
19 ~~and 938~~ and subch. III of ch. 49 ~~and authorized community-based juvenile~~  
20 ~~delinquency-related services.~~

21 **SECTION 64.** 46.22 (2g) (d) 4. of the statutes, as affected by 2015 Wisconsin Act  
22 55, is repealed.

23 **SECTION 65.** 46.23 (5) (a) 1. of the statutes, as affected by 2015 Wisconsin Act  
24 55, is amended to read:

1           46.23 (5) (a) 1. Shall determine administrative and program policies, except as  
2           provided under ~~ch. chs. 48 and 938~~ and subch. III of ch. 49 ~~and except for policies~~  
3           ~~relating to community-based juvenile delinquency-related services or to the~~  
4           ~~purchase of juvenile correctional services~~, within limits established by the  
5           department of health services. Policy decisions, except as provided under ~~ch. chs. 48~~  
6           ~~and 938~~ and subch. III of ch. 49 ~~and except for policy decisions relating to~~  
7           ~~community-based juvenile delinquency-related services or to the purchase of~~  
8           ~~juvenile correctional services~~, that are not reserved by statute for the department of  
9           health services may be delegated by the secretary to the county human services  
10          board.

11           **SECTION 66.** 46.23 (5) (a) 2. of the statutes, as affected by 2015 Wisconsin Act  
12          55, is amended to read:

13           46.23 (5) (a) 2. Shall determine administrative and program policies under ~~ch.~~  
14          ~~chs.~~ 48 ~~and~~ 938 and subch. III of ch. 49 ~~and administrative and program policies~~  
15          ~~relating to community-based juvenile delinquency-related services~~ within limits  
16          established by the department of children and families. Policy decisions under ~~ch.~~  
17          ~~chs.~~ 48 ~~and~~ 938 and subch. III of ch. 49 ~~and policy decisions relating to~~  
18          ~~community-based juvenile delinquency-related services~~ that are not reserved by  
19          statute for the department of children and families may be delegated by the secretary  
20          of children and families to the county human services board.

21           **SECTION 67.** 46.23 (5) (a) 3. of the statutes, as affected by 2015 Wisconsin Act  
22          55, is repealed.

23           **SECTION 68.** 46.23 (5) (c) 1. of the statutes, as affected by 2015 Wisconsin Act  
24          55, is amended to read:

1           46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
2 services under ~~ch. chs. 48 and 938~~ and subch. III of ch. 49, ~~community-based juvenile~~  
3 ~~delinquency-related services, and juvenile correctional services,~~ are provided by,  
4 purchased from, or contracted for with local providers, and monitor the performance  
5 of those contracts. Purchase of services contracts shall be subject to the conditions  
6 specified in s. 46.036.

7           **SECTION 69.** 46.23 (5) (c) 2. of the statutes, as affected by 2015 Wisconsin Act  
8 55, is amended to read:

9           46.23 (5) (c) 2. Shall determine whether state mandated services under ~~ch. chs.~~  
10 ~~48 and 938~~ and subch. III of ch. 49 ~~and state-mandated community-based juvenile~~  
11 ~~delinquency-related services~~ are provided by, purchased from, or contracted for with  
12 local providers, and monitor the performance of those contracts. Purchase of services  
13 contracts shall be subject to the conditions specified in s. 49.34.

14           **SECTION 70.** 46.23 (5) (c) 3. of the statutes, as affected by 2015 Wisconsin Act  
15 55, is repealed.

16           **SECTION 71.** 46.23 (5) (n) 1. of the statutes, as affected by 2015 Wisconsin Act  
17 55, is amended to read:

18           46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
19 authorized services, except for services under ~~ch. chs. 48 and 938~~ and subch. III of  
20 ch. 49, ~~community-based juvenile delinquency-related services, and juvenile~~  
21 ~~correctional services.~~ Notwithstanding the categorization of or limits specified for  
22 funds allocated under s. 46.495 or 51.423 (2), with the approval of the department  
23 of health services the county human services board may expend those funds  
24 consistent with any service provided under s. 46.495 or 51.42.



1           **SECTION 72.** 46.23 (5) (n) 2. of the statutes, as affected by 2015 Wisconsin Act  
2 55, is amended to read:

3           46.23 **(5)** (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for  
4 authorized services under ~~ch. chs.~~ chs. 48 and 938 and subch. III of ch. 49 ~~and for~~  
5 ~~authorized community-based juvenile delinquency-related services.~~  
6 Notwithstanding the categorization of or limits specified for funds allocated under  
7 s. 48.569, with the approval of the department of children and families the county  
8 human services board may expend those funds consistent with any service provided  
9 under s. 48.569.

10           **SECTION 73.** 46.23 (5) (n) 3. of the statutes, as affected by 2015 Wisconsin Act  
11 55, is repealed.

12           **SECTION 74.** 46.23 (5m) (c) of the statutes, as affected by 2015 Wisconsin Act  
13 55, is amended to read:

14           46.23 **(5m)** (c) Prepare, with the assistance of the county human services  
15 director under sub. (6m) (e), a proposed budget for submission to the county executive  
16 or county administrator; a final budget for submission to the department of health  
17 services in accordance with s. 46.031 (1) for authorized services, except services  
18 under ~~ch. chs.~~ chs. 48 and 938 and subch. III of ch. 49, ~~community-based juvenile~~  
19 ~~delinquency-related services, and juvenile correctional services; and~~ a final budget  
20 for submission to the department of children and families in accordance with s.  
21 49.325 for authorized services under ~~ch. chs.~~ chs. 48 and 938 and subch. III of ch. 49 ~~and~~  
22 for authorized community-based juvenile delinquency-related services; and a final  
23 budget for submission to the department of corrections in accordance with s. 301.031  
24 for the purchase of authorized juvenile correctional services.

1           **SECTION 75.** 46.23 (6) (a) (intro.) of the statutes, as affected by 2015 Wisconsin  
2 Act 55, is amended to read:

3           46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)  
4 (f) shall have all of the administrative and executive powers and duties of managing,  
5 operating, maintaining, and improving the services and programs of the county  
6 department of human services. Those powers and duties are subject to the rules  
7 promulgated by the department of health services for programs, except that, with  
8 respect to services or programs under ~~ch. chs. 48 and 938~~ and subch. III of ch. 49 and  
9 ~~community-based juvenile delinquency-related services or programs~~, those powers  
10 and duties are subject to the rules promulgated by the department of children and  
11 families and, with respect to the purchase of juvenile correctional services or  
12 programs, those powers and duties are subject to the rules promulgated by the  
13 department of corrections. In consultation with the county human services board  
14 under sub. (5) and subject to its approval, the county human services director shall  
15 prepare all of the following:

16           **SECTION 76.** 48.02 (10r) of the statutes is amended to read:

17           48.02 (10r) “Juvenile detention facility” means a locked facility approved by  
18 the department of corrections under s. 301.36 938.226 for the secure, temporary  
19 holding in custody of children.

20           **SECTION 77.** 48.526 (title) of the statutes, as created by 2015 Wisconsin Act 55,  
21 is renumbered 938.526 (title).

22           **SECTION 78.** 48.526 (1) of the statutes, as created by 2015 Wisconsin Act 55, is  
23 renumbered 938.526 (1) and amended to read:

24           938.526 (1) PROCEDURES. The department shall develop procedures for the  
25 implementation of this section and standards for the development and delivery of

1 ~~community-based juvenile delinquency-related services, as defined in s. 46.011 (1e),~~  
2 under this chapter and shall provide consultation and technical assistance to aid  
3 counties in the implementation and delivery of those services. The department shall  
4 establish information systems and monitoring and evaluation procedures to report  
5 periodically to the governor and legislature on the statewide impact of this section.

6 **SECTION 79.** 48.526 (2) (title) of the statutes, as affected by 2015 Wisconsin Act  
7 55, is renumbered 938.526 (2) (title).

8 **SECTION 80.** 48.526 (2) (a) of the statutes, as affected by 2015 Wisconsin Act 55,  
9 is renumbered 938.526 (2) (a).

10 **SECTION 81.** 48.526 (2) (b) of the statutes, as affected by 2015 Wisconsin Act 55,  
11 is renumbered 938.526 (2) (b).

12 **SECTION 82.** 48.526 (2) (c) of the statutes, as affected by 2015 Wisconsin Act 55,  
13 is renumbered 938.526 (2) (c) and amended to read:

14 938.526 (2) (c) All funds to counties under this section shall be used to purchase  
15 or provide ~~community-based juvenile delinquency-related services, as defined in s.~~  
16 ~~46.011 (1e), and to purchase juvenile correctional services, as defined in s. 46.011 (1p)~~  
17 under this chapter, except that no funds to counties under this section may be used  
18 for purposes of land purchase, building construction, or maintenance of buildings  
19 under s. 46.17, 46.175, or ~~301.37~~ 938.227, for reimbursement of costs under s.  
20 938.209, for city lockups, or for reimbursement of care costs in temporary shelter care  
21 under s. 938.22. Funds to counties under this section may be used for reimbursement  
22 of costs of program services, other than basic care and supervision costs, in juvenile  
23 detention facilities.

24 **SECTION 83.** 48.526 (2m) of the statutes, as affected by 2015 Wisconsin Act 55,  
25 is renumbered 938.526 (2m).

1           **SECTION 84.** 48.526 (3) (title) of the statutes, as affected by 2015 Wisconsin Act  
2 55, is renumbered 938.526 (3) (title).

3           **SECTION 85.** 48.526 (3) (a) of the statutes, as affected by 2015 Wisconsin Act 55,  
4 is renumbered 938.526 (3) (a).

5           **SECTION 86.** 48.526 (3) (c) of the statutes, as affected by 2015 Wisconsin Act 55,  
6 is renumbered 938.526 (3) (c) and amended to read:

7           938.526 (3) (c) Within the limits of the appropriations under s. 20.437 ~~(1)~~ (4)  
8 (cj) and (o), the department shall allocate funds to each county for services under this  
9 section.

10           **SECTION 87.** 48.526 (3) (dm) of the statutes, as affected by 2015 Wisconsin Act  
11 55, is renumbered 938.526 (3) (dm) and amended to read:

12           938.526 (3) (dm) The department may carry forward for a county from one  
13 calendar year to another funds allocated under this subsection that are not spent or  
14 encumbered. The amount that the department may carry forward for a county under  
15 this paragraph may not exceed ~~5%~~ 5 percent of the amount allocated to the county  
16 for the 12-month period ending December 31. The funds carried forward under this  
17 paragraph do not affect a county's base allocation.

18           **SECTION 88.** 48.526 (3) (e) of the statutes, as affected by 2015 Wisconsin Act 55,  
19 is renumbered 938.526 (3) (e) and amended to read:

20           938.526 (3) (e) The department may carry forward \$500,000 or ~~10%~~ 10 percent  
21 of its funds allocated under this subsection and not encumbered or carried forward  
22 under par. (dm) by counties by December 31, whichever is greater, to the next 2  
23 calendar years. The department may transfer moneys from or within s. 20.437 ~~(1)~~  
24 (4) (cj) to accomplish this purpose. The department may allocate these transferred  
25 moneys to counties with persistently high rates of juvenile arrests for serious

1 offenses during the next 2 calendar years to improve community-based juvenile  
2 delinquency-related services, as defined in s. 46.011 (1e). The allocation does not  
3 affect a county's base allocation.

4 **SECTION 89.** 48.526 (3) (em) of the statutes, as affected by 2015 Wisconsin Act  
5 55, is renumbered 938.526 (3) (em) and amended to read:

6 938.526 (3) (em) The department may carry forward any emergency funds  
7 allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm)  
8 by December 31 to the next 2 calendar years. The department may transfer moneys  
9 from or within s. 20.437 (1) (4) (cj) to accomplish this purpose. The department may  
10 allocate these transferred moneys to counties that are eligible for emergency  
11 payments under sub. (7) (e). The allocation does not affect a county's base allocation.

12 **SECTION 90.** 48.526 (6) (title) of the statutes, as affected by 2015 Wisconsin Act  
13 55, is renumbered 938.526 (6) (title).

14 **SECTION 91.** 48.526 (6) (a) of the statutes, as affected by 2015 Wisconsin Act 55,  
15 is renumbered 938.526 (6) (a) and amended to read:

16 938.526 (6) (a) The department shall develop criteria as provided in par. (b) to  
17 assist the legislature in allocating funding, excluding funding for base allocations,  
18 from the appropriations under s. 20.437 (1) (4) (cj) and (o) for purposes described in  
19 this section.

20 **SECTION 92.** 48.526 (6) (b) of the statutes, as affected by 2015 Wisconsin Act 55,  
21 is renumbered 938.526 (6) (b).

22 **SECTION 93.** 48.526 (7) (intro.) of the statutes, as affected by 2015 Wisconsin  
23 Act 55, section 4280, is renumbered 938.526 (7) (intro.) and amended to read:

24 938.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
25 of the appropriations under s. 20.437 (1) (4) (cj) and (o), the department shall allocate

1 funds for community youth and family aids for the period beginning on July 1, 2015,  
2 and ending on June 30, 2017, as provided in this subsection to county departments  
3 under ~~ss. 46.215, 46.22, and 46.23~~ as follows:

4 **SECTION 94.** 48.526 (7) (a) to (h) of the statutes, as affected by 2015 Wisconsin  
5 Act 55, are renumbered 938.526 (7) (a) to (h).

6 **SECTION 95.** 48.526 (8) of the statutes, as affected by 2015 Wisconsin Act 55,  
7 is renumbered 938.526 (8).

8 **SECTION 96.** 48.528 (title) of the statutes, as affected by 2015 Wisconsin Act 55,  
9 is renumbered 938.528 (title).

10 **SECTION 97.** 48.528 (1) of the statutes, as affected by 2015 Wisconsin Act 55,  
11 is renumbered 938.528 (1) and amended to read:

12 938.528 (1) In each fiscal year, the department shall distribute the amount  
13 appropriated under s. 20.437 (1) (4) (cm) to counties for early intervention services  
14 for first offenders and for intensive community-based intervention services for  
15 seriously chronic offenders.

16 **SECTION 98.** 48.528 (2) of the statutes, as affected by 2015 Wisconsin Act 55,  
17 is renumbered 938.528 (2).

18 **SECTION 99.** 48.528 (3) of the statutes, as affected by 2015 Wisconsin Act 55,  
19 is renumbered 938.528 (3).

20 **SECTION 100.** 48.565 (2) (c) of the statutes is amended to read:

21 48.565 (2) (c) The department shall credit to the appropriation account under  
22 s. 20.437 (3) (5) (kp) any moneys carried forward under par. (a), but not distributed  
23 to counties, and may expend those moneys as provided in s. 48.567.

24 **SECTION 101.** 48.567 (1) of the statutes is amended to read:

**SECTION 101**

1       48.567 (1) From the appropriation account under s. 20.437 (3) (5) (kp), the  
2       department shall support costs that are exclusively related to the ongoing and  
3       recurring operational costs of augmenting the amount of moneys received under 42  
4       USC 670 to 679a and to any other purpose provided for by the legislature by law or  
5       in budget determinations. In addition, the department may expend moneys from  
6       that appropriation account as provided in subs. (1m) and (2).

7       **SECTION 102.** 48.567 (1m) of the statutes is amended to read:

8       48.567 (1m) In addition to expending moneys from the appropriation account  
9       under s. 20.437 (3) (5) (kp) for the augmentation activities specified in sub. (1), the  
10       department may expend moneys from that appropriation account to support the  
11       counties' share of implementing the statewide automated child welfare information  
12       system under s. 46.22 (1) (c) 8. f. and to provide services to children and families  
13       under s. 48.48 (17).

14       **SECTION 103.** 48.567 (2) of the statutes is amended to read:

15       48.567 (2) If the department proposes to use any moneys from the  
16       appropriation account under s. 20.437 (3) (5) (kp) for any purpose other than the  
17       purposes specified in subs. (1) and (1m), the department shall submit a plan for the  
18       proposed use of those moneys to the secretary of administration by September 1 of  
19       the fiscal year after the fiscal year in which those moneys were received. If the  
20       secretary of administration approves the plan, he or she shall submit the plan to the  
21       joint committee on finance by October 1 of the fiscal year after the fiscal year in which  
22       those moneys were received. If the cochairpersons of the committee do not notify the  
23       secretary of administration within 14 working days after the date of submittal of the  
24       plan that the committee has scheduled a meeting for the purpose of reviewing the  
25       plan, the department may implement the plan. If within 14 working days after the

1 date of the submittal by the secretary of administration the cochairpersons of the  
2 committee notify him or her that the committee has scheduled a meeting for the  
3 purpose of reviewing the plan, the department may implement the plan only with the  
4 approval of the committee.

5 **SECTION 104.** 49.11 (1c) of the statutes, as created by 2015 Wisconsin Act 55,  
6 is repealed.

7 **SECTION 105.** 49.175 (1) (intro.) of the statutes, as affected by 2015 Wisconsin  
8 Act 55, is amended to read:

9 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in subs. (2) and  
10 (3), within the limits of the appropriations under s. 20.437 (2) (a), (cm), (dz), (k), (kx),  
11 (L), (mc), (md), (me), and (s) and ~~(3)~~ (5) (kp), the department shall allocate the  
12 following amounts for the following purposes:

13 **SECTION 106.** 49.175 (3) of the statutes, as created by 2015 Wisconsin Act 55,  
14 is amended to read:

15 49.175 (3) LIMIT ON CERTAIN FUNDS. Moneys from the appropriation account  
16 under s. 20.437 ~~(3)~~ (5) (kp) for the allocations specified in sub. (1) shall be limited to  
17 \$4,730,300 and may be expended only for obligations incurred between October 1,  
18 2015, and September 30, 2016.

19 **SECTION 107.** 49.275 of the statutes, as affected by 2015 Wisconsin Act 55, is  
20 amended to read:

21 **49.275 Cooperation with federal government.** The department may  
22 cooperate with the federal government in carrying out federal acts concerning public  
23 assistance under this subchapter, child welfare under ch. 48, and ~~community-based~~  
24 juvenile delinquency-related services under ch. 938 and in other matters of mutual



1 concern pertaining to public welfare, child welfare, and juvenile delinquency under  
2 this subchapter and chs. 48 and 938.

3 **SECTION 108.** 49.32 (1) (a) of the statutes, as affected by 2015 Wisconsin Acts  
4 55 and .... (Assembly Bill 42), is amended to read:

5 49.32 (1) (a) Except as provided in s. 49.345 (14) (b) and (c), the department  
6 shall establish a uniform system of fees for services under this subchapter and ~~ch.~~  
7 ~~chs. 48, and community-based juvenile delinquency-related services under ch. 938,~~  
8 ~~and 938~~ purchased or provided by the department or by a county department under  
9 s. 46.215, 46.22, or 46.23, except as provided in s. 49.22 (6) and except when, as  
10 determined by the department, a fee is administratively unfeasible or would  
11 significantly prevent accomplishing the purpose of the service. A county department  
12 under s. 46.215, 46.22, or 46.23 shall apply the fees that it collects under this program  
13 to cover the cost of those services.

14 **SECTION 109.** 49.32 (2) (b) of the statutes, as affected by 2015 Wisconsin Act 55,  
15 is amended to read:

16 49.32 (2) (b) The department may make social services payments ~~and~~  
17 ~~payments for community-based juvenile delinquency-related services~~ directly to  
18 recipients, vendors, or providers in accordance with law and rules of the department  
19 on behalf of the counties that have contracts to have those payments made on their  
20 behalf.

21 **SECTION 110.** 49.32 (2) (d) of the statutes is amended to read:

22 49.32 (2) (d) The department shall disburse from state or federal funds or both  
23 the entire amount and charge the county for its share under s. 48.569 or 938.526.

24 **SECTION 111.** 49.325 (1) (a) of the statutes, as affected by 2015 Wisconsin Act  
25 55, is amended to read:

1           49.325 (1) (a) Each county department under s. 46.215, 46.22, or 46.23 shall  
2 submit its final budget for services purchased or directly provided under this  
3 subchapter or ch. 48 ~~and for community-based juvenile delinquency-related~~  
4 ~~services purchased or directly provided under ch. or 938~~ to the department by  
5 December 31 annually.

6           **SECTION 112.** 49.325 (2) of the statutes, as affected by 2015 Wisconsin Act 55,  
7 is amended to read:

8           49.325 (2) ASSESSMENT OF NEEDS. Before developing and submitting a proposed  
9 budget for services purchased or directly provided under this subchapter or ch. 48  
10 ~~and for community-based juvenile delinquency-related services purchased or~~  
11 ~~directly provided under ch. or 938~~ to the county executive or county administrator  
12 or the county board, the county departments listed in sub. (1) shall assess needs and  
13 inventory resources and services, using an open public participation process.

14           **SECTION 113.** 49.325 (2g) (a) of the statutes, as affected by 2015 Wisconsin Act  
15 55, is amended to read:

16           49.325 (2g) (a) The department shall annually submit to the county board of  
17 supervisors in a county with a single-county department or the county boards of  
18 supervisors in counties with a multicounty department a proposed written contract  
19 containing the allocation of funds for services purchased or directly provided under  
20 this subchapter or ch. 48, ~~for community-based juvenile delinquency-related~~  
21 ~~services purchased or directly provided under ch. 938, or 938~~ and for such  
22 administrative requirements as necessary. The contract as approved may contain  
23 conditions of participation consistent with federal and state law. The contract may  
24 also include provisions necessary to ensure uniform cost accounting of services. Any  
25 changes to the proposed contract shall be mutually agreed upon. The county board

1 of supervisors in a county with a single-county department or the county boards of  
2 supervisors in counties with a multicounty department shall approve the contract  
3 before January 1 of the year in which it takes effect unless the department grants  
4 an extension. The county board of supervisors in a county with a single-county  
5 department or the county boards of supervisors in counties with a multicounty  
6 department may designate an agent to approve addenda to any contract after the  
7 contract has been approved.

8 **SECTION 114.** 49.325 (2g) (b) of the statutes, as affected by 2015 Wisconsin Act  
9 55, is amended to read:

10 49.325 (2g) (b) The department may not approve contracts for amounts in  
11 excess of available revenues. The county board of supervisors in a county with a  
12 single-county department or the county boards of supervisors in counties with a  
13 multicounty department may appropriate funds for ~~community-based~~ juvenile  
14 delinquency-related services under ch. 938. Actual expenditure of county funds  
15 shall be reported in compliance with procedures developed by the department.

16 **SECTION 115.** 49.325 (2g) (c) of the statutes, as affected by 2015 Wisconsin Act  
17 55, is amended to read:

18 49.325 (2g) (c) The joint committee on finance may require the department to  
19 submit contracts between county departments under ss. 46.215, 46.22, and 46.23  
20 and providers of services under this subchapter or ch. 48 or ~~of community-based~~  
21 ~~juvenile delinquency-related services under ch. 938~~ to the committee for review and  
22 approval.

23 **SECTION 116.** 49.325 (2r) (a) 1. of the statutes, as affected by 2015 Wisconsin  
24 Act 55, is amended to read:

1           49.325 (2r) (a) 1. For services under this subchapter or ch. 48 or  
2 ~~community-based juvenile delinquency-related services under ch. 938~~ that  
3 duplicate or are inconsistent with services being purchased or provided by the  
4 department or other county departments receiving grants-in-aid or reimbursement  
5 from the department.

6           **SECTION 117.** 49.325 (2r) (a) 2. of the statutes, as affected by 2015 Wisconsin  
7 Act 55, is amended to read:

8           49.325 (2r) (a) 2. Inconsistent with state or federal statutes, rules, or  
9 regulations, in which case the department may also arrange for the provision of  
10 services under this subchapter or ch. 48 or ~~community-based juvenile~~  
11 ~~delinquency-related services under ch. 938~~ by an alternate agency. The department  
12 may not arrange for the provision of those services by an alternate agency unless the  
13 joint committee on finance or a review body designated by the committee reviews and  
14 approves the department's determination.

15           **SECTION 118.** 49.34 (1) of the statutes, as affected by 2015 Wisconsin Act 55,  
16 is amended to read:

17           49.34 (1) All services under this subchapter and ~~ch.~~ chs. 48 and ~~all~~  
18 ~~community-based juvenile delinquency-related services under ch. 938~~ purchased  
19 by the department or by a county department under s. 46.215, 46.22, or 46.23 shall  
20 be authorized and contracted for under the standards established under this section.  
21 The department may require the county departments to submit the contracts to the  
22 department for review and approval. For purchases of \$10,000 or less the  
23 requirement for a written contract may be waived by the department. No contract  
24 is required for care provided by foster homes that are required to be licensed under  
25 s. 48.62. When the department directly contracts for services, the department shall

1 follow the procedures in this section in addition to meeting purchasing requirements  
2 established in s. 16.75.

3 **SECTION 119.** 49.34 (2) of the statutes, as affected by 2015 Wisconsin Act 55,  
4 is amended to read:

5 49.34 (2) All services purchased under this subchapter and ~~ch. chs.~~ chs. 48 and all  
6 ~~community-based juvenile delinquency-related services purchased under ch. 938~~  
7 shall meet standards established by the department and other requirements  
8 specified by the purchaser in the contract. Based on these standards the department  
9 shall establish standards for cost accounting and management information systems  
10 that shall monitor the utilization of the services, and document the specific services  
11 in meeting the service plan for the client and the objective of the service.

12 **SECTION 120.** 49.35 (1) (a) of the statutes, as affected by 2015 Wisconsin Act 55,  
13 is amended to read:

14 49.35 (1) (a) The department shall supervise the administration of programs  
15 under this subchapter and ~~ch. chs.~~ chs. 48 and ~~of community-based juvenile~~  
16 ~~delinquency-related programs under ch. 938.~~ The department shall submit to the  
17 federal authorities state plans for the administration of programs under this  
18 subchapter and ~~ch. chs.~~ chs. 48 and ~~of community-based juvenile delinquency-related~~  
19 ~~programs under ch. 938~~ in such form and containing such information as the federal  
20 authorities require, and shall comply with all requirements prescribed to ensure  
21 their correctness.

22 **SECTION 121.** 49.35 (1) (b) of the statutes, as affected by 2015 Wisconsin Act 55,  
23 is amended to read:

24 49.35 (1) (b) All records of the department and all county records relating to  
25 programs under this subchapter and ~~ch. chs.~~ chs. 48, ~~community-based juvenile~~

1 ~~delinquency-related programs under ch. and~~ 938, and aid under s. 49.18, 1971 stats.,  
2 s. 49.20, 1971 stats., and s. 49.61, 1971 stats., as affected by chapter 90, laws of 1973,  
3 shall be open to inspection at all reasonable hours by authorized representatives of  
4 the federal government. Notwithstanding ss. 48.396 (2) and 938.396 (2), all county  
5 records relating to the administration of the services and public assistance specified  
6 in this paragraph shall be open to inspection at all reasonable hours by authorized  
7 representatives of the department.

8 **SECTION 122.** 49.35 (2) of the statutes is amended to read: .

9 49.35 (2) The county administration of all laws relating to programs under this  
10 subchapter and ~~ch. chs.~~ 48 and ~~to community-based juvenile delinquency-related~~  
11 ~~programs under ch.~~ 938 shall be vested in the officers and agencies designated in the  
12 statutes.

13 **SECTION 123.** 49.45 (6m) (br) 1. of the statutes, as affected by 2015 Wisconsin  
14 Act 55, is amended to read:

15 49.45 (6m) (br) 1. Notwithstanding s. 20.435 (7) (b) or 20.437 (1)(ej) ~~or~~ (2) (dz)  
16 ~~or~~ (4) (cj), the department shall reduce allocations of funds to counties in the amount  
17 of the disallowance from the appropriation account under s. 20.435 (7) (b), or the  
18 department shall direct the department of children and families to reduce allocations  
19 of funds to counties or Wisconsin Works agencies in the amount of the disallowance  
20 from the appropriation account under s. 20.437 (1)(ej) ~~or~~ (2) (dz) or (4) (cj), in  
21 accordance with s. 16.544 to the extent applicable.

22 **SECTION 124.** 49.45 (25) (bj) of the statutes is amended to read:

23 49.45 (25) (bj) The department of ~~corrections~~ children and families may elect  
24 to provide case management services under this subsection to persons who are under  
25 the supervision of that department under s. 938.183, 938.34 (4h), (4m), or (4n), or

1 938.357 (4), who are Medical Assistance beneficiaries, and who meet one or more of  
2 the conditions specified in par. (am). The amount of the allowable charges for those  
3 services under the Medical Assistance program that is not provided by the federal  
4 government shall be paid from the appropriation account under s. ~~20.410 (3)~~ 20.437  
5 (4) (hm), (ho), or (hr).

6 **SECTION 125.** 49.855 (2p) of the statutes is repealed.

7 **SECTION 126.** 49.855 (3) of the statutes is amended to read:

8 49.855 (3) Receipt of a certification by the department of revenue shall  
9 constitute a lien, equal to the amount certified, on any state tax refunds or credits  
10 owed to the obligor. The lien shall be foreclosed by the department of revenue as a  
11 setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines  
12 that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the  
13 obligor that the state intends to reduce any state tax refund or credit due the obligor  
14 by the amount the obligor is delinquent under the support, maintenance, or receiving  
15 and disbursing fee order or obligation, by the outstanding amount for past support,  
16 medical expenses, or birth expenses under the court order, or by the amount due  
17 under s. 46.10 (4), or 49.345 (4), ~~or 301.12 (4)~~. The notice shall provide that within  
18 20 days the obligor may request a hearing before the circuit court rendering the order  
19 under which the obligation arose. Within 10 days after receiving a request for  
20 hearing under this subsection, the court shall set the matter for hearing. Pending  
21 further order by the court or a circuit court commissioner, the department of children  
22 and families or its designee, whichever is appropriate, is prohibited from disbursing  
23 the obligor's state tax refund or credit. A circuit court commissioner may conduct the  
24 hearing. The sole issues at that hearing shall be whether the obligor owes the  
25 amount certified and, if not and it is a support or maintenance order, whether the

1 money withheld from a tax refund or credit shall be paid to the obligor or held for  
2 future support or maintenance, except that the obligor's ability to pay shall also be  
3 an issue at the hearing if the obligation relates to an order under s. 767.805 (4) (d)  
4 1. or 767.89 (3) (e) 1. and the order specifies that the court found that the obligor's  
5 income was at or below the poverty line established under 42 USC 9902 (2).

6 **SECTION 127.** 49.855 (4m) (b) of the statutes is amended to read:

7 49.855 (4m) (b) The department of revenue may provide a certification that it  
8 receives under sub. (1), (2m), ~~(2p)~~, or (2r) to the department of administration. Upon  
9 receipt of the certification, the department of administration shall determine  
10 whether the obligor is a vendor or is receiving any other payments from this state,  
11 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.  
12 45.40 (1m), this chapter, or ch. 46, 108, or 301. If the department of administration  
13 determines that the obligor is a vendor or is receiving payments from this state,  
14 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.  
15 45.40 (1m), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount  
16 certified from those payments and shall notify the obligor that the state intends to  
17 reduce any payments due the obligor by the amount the obligor is delinquent under  
18 the support, maintenance, or receiving and disbursing fee order or obligation, by the  
19 outstanding amount for past support, medical expenses, or birth expenses under the  
20 court order, or by the amount due under s. 46.10 (4), or 49.345 (4), ~~or 301.12 (4)~~. The  
21 notice shall provide that within 20 days after receipt of the notice the obligor may  
22 request a hearing before the circuit court rendering the order under which the  
23 obligation arose. An obligor may, within 20 days after receiving notice, request a  
24 hearing under this paragraph. Within 10 days after receiving a request for hearing  
25 under this paragraph, the court shall set the matter for hearing. A circuit court



1 commissioner may conduct the hearing. Pending further order by the court or circuit  
2 court commissioner, the department of children and families or its designee,  
3 whichever is appropriate, may not disburse the payments withheld from the obligor.  
4 The sole issues at the hearing are whether the obligor owes the amount certified and,  
5 if not and it is a support or maintenance order, whether the money withheld shall be  
6 paid to the obligor or held for future support or maintenance, except that the obligor's  
7 ability to pay is also an issue at the hearing if the obligation relates to an order under  
8 s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that  
9 the obligor's income was at or below the poverty line established under 42 USC 9902  
10 (2).

11 **SECTION 128.** 59.24 of the statutes is amended to read:

12 **59.24 Clerks of counties containing state institutions to make claims**  
13 **in certain cases.** The clerk of any county that is entitled to reimbursement under  
14 s. 16.51 (7) shall make a certified claim against the state, without direction from the  
15 board, in all cases in which the reimbursement is directed in s. 16.51 (7), upon forms  
16 prescribed by the department of administration. The forms shall contain  
17 information required by the clerk and shall be filed annually ~~with the department~~  
18 ~~of corrections on or before June 1. If Claims for reimbursement of expenses involving~~  
19 ~~a prisoner in a state prison named in s. 302.01 shall be filed with the department of~~  
20 ~~corrections and, if the claims are approved by the department of corrections, they~~  
21 ~~shall be certified to the department of administration and paid from the~~  
22 ~~appropriation made by s. 20.410 (1) (c), if the claim is for reimbursement of expenses~~  
23 ~~involving a prisoner in a state prison named in s. 302.01, or, Claims for~~  
24 ~~reimbursement of expenses involving a juvenile in a juvenile correctional facility, as~~  
25 ~~defined in s. 938.02 (10p), shall be filed with the department of children and families~~

1 and, if the claims are approved by the department of children and families, they shall  
2 be certified to the department of administration and paid from the appropriation  
3 under s. ~~20.410 (3)~~ 20.437 (4) (c), ~~if the claim is for reimbursement of expenses~~  
4 ~~involving a juvenile in a juvenile correctional facility, as defined in s. 938.02 (10p).~~

5 **SECTION 129.** 102.27 (2) (a) of the statutes is amended to read:

6 102.27 (2) (a) A benefit under this chapter is assignable under s. 46.10 (14) (e),  
7 49.345 (14) (e), ~~301.12 (14) (e)~~, 767.225 (1) (L), 767.513 (3), or 767.75 (1) or (2m).

8 **SECTION 130.** 230.08 (2) (e) 2m. of the statutes, as affected by 2015 Wisconsin  
9 Act 55, is amended to read:

10 230.08 (2) (e) 2m. Children and families — ~~9~~ 10.

11 **SECTION 131.** 230.08 (2) (e) 3e. of the statutes is amended to read:

12 230.08 (2) (e) 3e. Corrections — ~~7~~ 6.

13 **SECTION 132.** 301.001 of the statutes is amended to read:

14 **301.001 Purposes of chapters.** The purposes of this chapter and chs. 302 to  
15 304 are to prevent ~~delinquency and crime by an attack on their~~ its causes; to provide  
16 a just, humane, and efficient program of rehabilitation of offenders; and to coordinate  
17 and integrate corrections programs with other social services. In creating the  
18 department of corrections, chs. 301 to 304, the legislature intends that the state  
19 continue to avoid sole reliance on incarceration of offenders and continue to develop,  
20 support and maintain professional community programs and placements.

21 **SECTION 133.** 301.01 (1n) of the statutes, as created by 2015 Wisconsin Act 55,  
22 is repealed.

23 **SECTION 134.** 301.01 (4) of the statutes is amended to read:

24 301.01 (4) “State correctional institution” means a state prison under s. 302.01  
25 ~~or a juvenile correctional facility operated by the department.~~