



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-04077 P1  
GMM:.....

IN 1135  
DNOTE  
TODAY is possible

g  
ujs

DOA:.....Major, BB0104 - Juvenile justice structure

**FOR 2015-2017 BUDGET - NOT READY FOR INTRODUCTION**

sets the amounts of youth aids to be allocated to counties in the 2015-17 fiscal biennium. The bill also effective on January 1, 2016.

do NOT pass

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

*Analysis by the Legislative Reference Bureau*

**CORRECTIONAL SYSTEM**

**JUVENILE CORRECTIONAL SYSTEM**

Current law requires DOC to supervise the administration of juvenile delinquency-related services, to allocate to counties various state and federal moneys to pay for those services (commonly referred to as "youth aids"), to develop standards for the development and delivery of those services, and to provide consultation and technical assistance to counties in the implementation and delivery of those services. Current law also requires each county annually to submit its final budget for those services to DOC and to enter into a contract with DOC for the allocation of youth aids moneys. In addition, current law requires all juvenile delinquency-related services purchased by a county to meet standards established by DOC and requires contracts for the purchase of those services to be written in accordance with rules and procedures established by DOC. Finally, current law defines "department," for purposes of administration of the Juvenile Justice Code, to mean DOC.

This bill transfers from DOC to DCF the responsibility for allocating youth aids to counties and for supervising the administration of community-based juvenile delinquency-related services, which the bill defines as juvenile delinquency-related services other than juvenile correctional services provided for juveniles who are being held in a juvenile detention facility or who have been adjudged delinquent,

placed under the supervision of DOC, and placed in a juvenile correctional facility, the Serious Juvenile Offender Program, or on aftercare supervision administered by DOC. As such, the bill transfers from DOC to DCF the responsibility for developing standards for the development and delivery of community-based juvenile delinquency-related services and for providing consultation and technical assistance to counties in the implementation and delivery of those services. In addition, the bill requires each county annually to submit its final budget for community-based juvenile delinquency-related services to DCF and to enter into a contract with DCF for the allocation of youth aids moneys, requires all community-based juvenile delinquency-related services purchased by a county to meet standards established by DCF, and requires contracts for the purchase of those services to be written in accordance with rules and procedures established by DCF. Finally, the bill redefines “department,” for purposes of administration of the Juvenile Justice Code, to mean DCF, except with respect to juvenile correctional services provided by DOC.

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. 20.410 (3) (cd) of the statutes is renumbered 20.437 (1) (cj) and  
2 amended to read:

3           20.437 (1) (cj) *Community youth and family aids.* The amounts in the schedule  
4 plus the amounts transferred from the appropriation account under par. (eg) for the  
5 improvement and provision of community-based juvenile delinquency-related  
6 services under s. 48.526 and juvenile correctional services under s. 301.26 and for  
7 reimbursement to counties having a population of less than ~~500,000~~ 750,000 for the  
8 cost of court attached intake services as provided in s. 938.06 (4). Disbursements  
9 may be made from this appropriation account under s. ~~301.085~~ 49.32 (2). Refunds  
10 received relating to payments made under s. ~~301.085~~ 49.32 (2) shall be returned to  
11 this appropriation account. ~~All moneys transferred from the appropriation account~~  
12 ~~under par. (eg) shall be credited to this appropriation account.~~ Notwithstanding ss.  
13 20.001 (3) (a) and 20.002 (1), the department of ~~corrections~~ children and families may

1 transfer moneys under this paragraph between fiscal years. Except for moneys  
 2 authorized for transfer under s. ~~301.26~~ <sup>✓</sup> 48.526 (3), all moneys from this paragraph  
 3 allocated under s. ~~301.26~~ <sup>✓</sup> 48.526 (3) and not spent or encumbered by counties by  
 4 December 31 of each year shall lapse into the general fund on the succeeding January  
 5 1. The joint committee on finance may transfer additional moneys to the next  
 6 calendar year.

**History:** 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284; 1999 a. 9, 89; 2001 a. 16; 2003 a. 33; 2005 a. 25 ss. 287 to 295m, 414t, 415wr; 2005 a. 234 s. 4; 2005 a. 344, 433; 2007 a. 20, 97; 2009 a. 28, 71, 100, 182, 233; 2011 a. 32, 38, 266; 2013 a. 20 ss. 335 to 342, 444; 2013 a. 334.

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

✓ **NOTE:** I can find no authority in the statutes for the transfer of moneys from the serious juvenile offender appropriation to the youth aids appropriation. Indeed, it would be unusual to transfer moneys from one GPR appropriation to another. Ordinarily, transfers are made to a PR appropriation.

(c.m.)

X

7

**SECTION 2.** 20.410 (3) (f) of the statutes is renumbered 20.437 (1) (fm) and amended to read:

(c.m.)

9

20.437 (1) (fm) *Community intervention program.* The amounts in the schedule for the community intervention program under s. ~~301.263~~ 48.528.

**History:** 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284; 1999 a. 9, 89; 2001 a. 16; 2003 a. 33; 2005 a. 25 ss. 287 to 295m, 414t, 415wr; 2005 a. 234 s. 4; 2005 a. 344, 433; 2007 a. 20, 97; 2009 a. 28, 71, 100, 182, 233; 2011 a. 32, 38, 266; 2013 a. 20 ss. 335 to 342, 444; 2013 a. 334.

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

X

11

**SECTION 3.** 20.410 (3) (ko) of the statutes is repealed.

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

12

**SECTION 4.** 20.410 (3) (kp) of the statutes is renumbered 20.437 (1) (kp) and amended to read:

14

20.437 (1) (kp) *Indian juvenile Interagency and intra-agency aids; tribal*

15

*delinquency placements.* The amounts in the schedule to be used for unexpected or

16

unusually high-cost out-of-home care placements of Indian juveniles who have

17

been adjudicated delinquent by tribal courts. All moneys transferred from the

1 appropriation account under s. 20.505 (8) (hm) 21d. shall be credited to this  
 2 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
 3 balance on June 30 of each year shall revert to the appropriation account under s.  
 4 20.505 (8) (hm).

**History:** 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284; 1999 a. 9, 89; 2001 a. 16; 2003 a. 33; 2005 a. 25 ss. 287 to 295m, 414t, 415wr; 2005 a. 234 s. 4; 2005 a. 344, 433; 2007 a. 20, 97; 2009 a. 28, 71, 100, 182, 233; 2011 a. 32, 38, 266; 2013 a. 20 ss. 335 to 342, 444; 2013 a. 334.

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

5 **SECTION 5.** 20.437 (1) (kz) of the statutes is amended to read:

6 20.437 (1) (kz) *Interagency and intra-agency aids; tribal placements and*  
 7 *guardianships.* The amounts in the schedule to be used for unexpected or unusually  
 8 high-cost out-of-home care placements of Indian children by tribal courts, other  
 9 than placements to which par. (kp) applies, and for subsidized guardianship  
 10 payments under s. 48.623 (1) or (6) for guardianships of Indian children ordered by  
 11 tribal courts. All moneys transferred from the appropriation account under s. 20.505  
 12 (8) (hm) 21. shall be credited to this appropriation account. Notwithstanding s.  
 13 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the  
 14 appropriation account under section 20.505 (8) (hm).

**History:** 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; 2011 a. 32, 258; 2013 a. 20, 170, 334.

15 **SECTION 6.** 20.437 (1) (o) of the statutes is amended to read:

16 20.437 (1) (o) *Federal aid; children, youth, and family aids.* All federal moneys  
 17 received in amounts pursuant to allocation plans developed by the department for  
 18 the provision or purchase of services authorized under ~~par.~~ par. (b) and (cj) and all  
 19 federal moneys received as child welfare funds under 42 USC 620 to 626 for projects  
 20 and services as limited under s. 48.985. Disbursements from this appropriation may  
 21 be made directly to counties for services to children and families under s. 49.32 (2)

1 (b) or 49.325 or directly to counties in accordance with federal requirements for the  
2 disbursal of federal funds.

**History:** 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; 2011 a. 32, 258; 2013 a. 20, 170, 334.

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

3 **SECTION 7.** 20.505 (8) (hm) 21d. of the statutes is amended to read:

4 20.505 (8) (hm) 21d. The amount transferred to s. ~~20.410 (3)~~ 20.437 (1) (kp)

5 shall be the amount in the schedule under s. ~~20.410 (3)~~ 20.437 (1) (kp).

**History:** 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2z), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433; 2007 a. 20 ss. 323, 326, 516e to 542g, 9121 (6) (a); 2007 a. 226; 2009 a. 11, 28, 302, 318; 2011 a. 29, 32 ss. 406, 421m, 435m to 446m, 716m to 747c, 755, 759 to 766; 2011 a. 166, 260; 2013 a. 20 ss. 215, 216, 379m, 413s to 461; 2013 a. 41, 115, 165, 166, 173.

X 6 **SECTION 8.** 46.011 (1) of the statutes is renumbered 46.011 (1e).

7 **SECTION 9.** 46.011 (1c) of the statutes is created to read:

8 46.011 (1c) “Community–based juvenile delinquency–related services” means  
9 juvenile delinquency–related services provided under ch. 938 other than juvenile  
10 correctional services.

11 **SECTION 10.** 46.011 (1p) of the statutes is created to read:

12 46.011 (1p) “Juvenile correctional services” means services provided for a  
13 juvenile who is being held in a juvenile detention facility or who is under the  
14 supervision of the department of corrections under s. 938.183, 938.34 (4h), (4m), or  
15 (4n), or 938.357 (4).

16 **SECTION 11.** 46.03 (18) (a) of the statutes is amended to read:

17 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department  
18 shall establish a uniform system of fees for services provided or purchased by the  
19 department, or a county department under s. 46.215, 46.22, 51.42, or 51.437, except  
20 for services provided under ch. 48 and subch. III of ch. 49; community–based juvenile

1 delinquency-related services; juvenile correctional services; services provided to  
2 courts; and outreach, information, and referral services; or when, as determined by  
3 the department, a fee is administratively unfeasible or would significantly prevent  
4 accomplishing the purpose of the service. A county department under s. 46.215,  
5 46.22, 51.42, or 51.437 shall apply the fees that it collects under this program to cover  
6 the cost of those services.

History: 1971 c. 270 s. 104; 1973 c. 90; 1973 c. 284 ss. 2, 32; 1973 c. 333; 1975 c. 39, 82; 1975 c. 189 s. 99 (1), (2); 1975 c. 224, 377, 413, 422; 1977 c. 29, 193; 1977 c. 196 s. 131; 1977 c. 203, 205, 271, 354; 1977 c. 418 ss. 287 to 289m, 924 (18) (d); 1977 c. 447, 449; 1979 c. 32 s. 92 (1); 1979 c. 34; 1979 c. 175 s. 46; 1979 c. 221, 331, 352; 1981 c. 20, 81; 1981 c. 314 s. 144; 1981 c. 390; 1983 a. 27, 193; 1983 a. 435 s. 7; 1983 a. 447, 474; 1983 a. 532 s. 36; 1985 a. 19, 29, 120, 176, 234, 285, 328, 331; 1985 a. 332 s. 251 (3); 1987 a. 3, 5, 27, 161, 186, 307, 339, 385, 399, 403, 413; 1989 a. 31 ss. 938m to 951, 2909g, 2909i; 1989 a. 56, 105, 107, 122; 1991 a. 39, 277; 1993 a. 16 ss. 851 to 859, 3072d; 1993 a. 98, 377, 385, 446, 481; 1995 a. 27 ss. 2026m to 2038b, 9126 (19); 1995 a. 77, 201, 225, 352, 370, 404, 448; 1997 a. 3, 27, 111, 283, 292; 1999 a. 9, 83; 2001 a. 16, 59, 61, 109; 2003 a. 33; 2005 a. 25, 293, 406; 2005 a. 443 s. 265; 2007 a. 20 ss. 800 to 823, 9121 (6) (a); 2007 a. 96, 104; 2009 a. 28, 180, 280; 2011 a. 32; 2013 a. 20, 246.

7 **SECTION 12.** 46.03 (20) (a) of the statutes is amended to read:

8 46.03 (20) (a) ~~Except for payments provided under ch. 48 or subch. III of ch. 49,~~  
9 The department may make payments directly to recipients of public assistance  
10 or to ~~such~~ persons authorized to receive ~~such~~ those payments in accordance with law  
11 and rules of the department on behalf of the counties. ~~Except for payments provided~~  
12 ~~under ch. 48 or subch. III of ch. 49,~~ The department may charge the counties for  
13 the cost of operating public assistance systems ~~which~~ that make ~~such~~ those  
14 payments.

History: 1971 c. 270 s. 104; 1973 c. 90; 1973 c. 284 ss. 2, 32; 1973 c. 333; 1975 c. 39, 82; 1975 c. 189 s. 99 (1), (2); 1975 c. 224, 377, 413, 422; 1977 c. 29, 193; 1977 c. 196 s. 131; 1977 c. 203, 205, 271, 354; 1977 c. 418 ss. 287 to 289m, 924 (18) (d); 1977 c. 447, 449; 1979 c. 32 s. 92 (1); 1979 c. 34; 1979 c. 175 s. 46; 1979 c. 221, 331, 352; 1981 c. 20, 81; 1981 c. 314 s. 144; 1981 c. 390; 1983 a. 27, 193; 1983 a. 435 s. 7; 1983 a. 447, 474; 1983 a. 532 s. 36; 1985 a. 19, 29, 120, 176, 234, 285, 328, 331; 1985 a. 332 s. 251 (3); 1987 a. 3, 5, 27, 161, 186, 307, 339, 385, 399, 403, 413; 1989 a. 31 ss. 938m to 951, 2909g, 2909i; 1989 a. 56, 105, 107, 122; 1991 a. 39, 277; 1993 a. 16 ss. 851 to 859, 3072d; 1993 a. 98, 377, 385, 446, 481; 1995 a. 27 ss. 2026m to 2038b, 9126 (19); 1995 a. 77, 201, 225, 352, 370, 404, 448; 1997 a. 3, 27, 111, 283, 292; 1999 a. 9, 83; 2001 a. 16, 59, 61, 109; 2003 a. 33; 2005 a. 25, 293, 406; 2005 a. 443 s. 265; 2007 a. 20 ss. 800 to 823, 9121 (6) (a); 2007 a. 96, 104; 2009 a. 28, 180, 280; 2011 a. 32; 2013 a. 20, 246.

15 **SECTION 13.** 46.206 (1) (a) of the statutes is amended to read:

16 46.206 (1) (a) The department shall supervise the administration of social  
17 services, except as for social services provided under ch. 48 and subch. III of ch. 49  
18 ~~and except for, community-based juvenile delinquency-related services, and~~  
19 juvenile correctional services. The department shall submit to the federal  
20 authorities state plans for the administration of social services, except as for social  
21 services provided under ch. 48 and subch. III of ch. 49 ~~and except for,~~

1 community-based juvenile delinquency-related services, and juvenile correctional  
2 services, in such form and containing such information as the federal authorities  
3 require, and shall comply with all requirements prescribed to ensure their  
4 correctness.

History: 1973 c. 147; 1977 c. 271, 449; 1981 c. 329, 335; 1983 a. 27, 239, 487; 1985 a. 176; 1987 a. 27 s. 3202 (24); 1987 a. 403 s. 256; 1989 a. 31; 1995 a. 27, 77; 1997 a. 35; 2007 a. 20.

5 **SECTION 14.** 46.206 (2) of the statutes is amended to read:

6 46.206 (2) The county administration of all laws relating to social services,  
7 ~~except with respect to the programs under ch. 48 and subch. III of ch. 49 and to~~  
8 ~~juvenile delinquency-related programs~~, shall be vested in the officers and agencies  
9 designated in the statutes.

History: 1973 c. 147; 1977 c. 271, 449; 1981 c. 329, 335; 1983 a. 27, 239, 487; 1985 a. 176; 1987 a. 27 s. 3202 (24); 1987 a. 403 s. 256; 1989 a. 31; 1995 a. 27, 77; 1997 a. 35; 2007 a. 20.

10 **SECTION 15.** 46.215 (1) (d) of the statutes is amended to read:

11 46.215 (1) (d) To make investigations that relate to services under subchs. IV  
12 and V of ch. 49 upon request by the department of health services, to make  
13 investigations that relate to juvenile ~~delinquency-related~~ correctional services at  
14 the request of the department of corrections, and to make investigations that relate  
15 to programs under ch. 48 and subch. III of ch. 49 or to community-based juvenile  
16 delinquency-related services upon request by the department of children and  
17 families.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334; 2011 a. 32; 2013 a. 20.

18 **SECTION 16.** 46.215 (2) (a) 1. of the statutes is amended to read:

19 46.215 (2) (a) 1. In order to ensure the availability of a full range of care and  
20 services, the county department of social services may contract, either directly or  
21 through the department of health services, with public or voluntary agencies or  
22 others to purchase, in full or in part, care and services, except as provided under

1 subch. III of ch. 49 and s. 301.08 (2), ~~which and except for community-based juvenile~~  
2 ~~delinquency-related services, that~~ the county department of social services is  
3 authorized by any statute to furnish in any manner. ~~This~~ That care and these those  
4 services may be purchased from the department of health services if the department  
5 of health services has staff to furnish ~~the~~ that care and those services. If the county  
6 department of social services has adequate staff, it may sell ~~the~~ that care and those  
7 services directly to another county or state agency.

**History:** 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983  
a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336,  
359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16;  
2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334; 2011 a. 32; 2013 a. 20.

8 **SECTION 17.** 46.215 (2) (a) 2. of the statutes is amended to read:

9 46.215 (2) (a) 2. In order to ensure the availability of a full range of care and  
10 services, the county department of social services may contract, either directly or  
11 through the department of children and families, with public or voluntary agencies,  
12 or others to purchase, in full or in part, care and services under ch. 48 and subch. III  
13 of ch. 49 ~~which and community-based juvenile delinquency-related services that~~ the  
14 county department of social services is authorized to furnish. ~~This~~ That care and  
15 ~~these~~ those services may be purchased from the department of children and families  
16 if the department of children and families has staff to furnish ~~the~~ that care and those  
17 services. If the county department of social services has adequate staff, it may sell  
18 ~~the~~ that care and those services directly to another county or state agency.

**History:** 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983  
a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336,  
359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16;  
2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334; 2011 a. 32; 2013 a. 20.

19 **SECTION 18.** 46.215 (2) (a) 3. of the statutes is amended to read:

20 46.215 (2) (a) 3. In order to ensure the availability of a full range of care and  
21 services, the county department of social services may contract, either directly or  
22 through the department of corrections, with public or voluntary agencies, or others



1 to purchase, in full or in part, juvenile delinquency–related care and services which  
2 correctional services that the county department of social services is authorized by  
3 any statute to furnish in any manner. ~~Such~~ That care and those services may be  
4 purchased from the department of corrections if the department of corrections has  
5 staff to furnish ~~the~~ that care and those services. If the county department of social  
6 services has adequate staff, it may sell ~~the~~ that care and those services directly to  
7 another county or state agency.

**History:** 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334; 2011 a. 32; 2013 a. 20.

8 **SECTION 19.** 46.215 (2) (c) 1. of the statutes is amended to read:

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

**History:** 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334; 2011 a. 32; 2013 a. 20.

21 **SECTION 20.** 46.215 (2) (c) 2. of the statutes is amended to read:

1           46.215 (2) (c) 2. A county department of social services shall develop, under the  
 2 requirements of s. 49.34, plans and contracts for the purchase of care and services  
 3 ~~to be purchased~~ under ch. 48 and subch. III of ch. 49 and of community-based  
 4 juvenile delinquency-related services. The department of children and families may  
 5 review the contracts and approve them if they are consistent with s. 49.34 and if state  
 6 or federal funds are available for such ~~sueh~~ those purposes. The joint committee on  
 7 finance may require the department of children and families to submit the contracts  
 8 to the committee for review and approval. The department of children and families  
 9 may not make any payments to a county for programs included in a contract under  
 10 review by the committee.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334; 2011 a. 32; 2013 a. 20.

11           **SECTION 21.** 46.215 (2) (c) 3. of the statutes is amended to read:

12           46.215 (2) (c) 3. A county department of social services shall develop, under the  
 13 requirements of s. 301.08 (2), plans and contracts for ~~juvenile delinquency-related~~  
 14 ~~care and services to be purchased~~ the purchase of juvenile correctional services. The  
 15 department of corrections may review the contracts and approve them if they are  
 16 consistent with s. 301.08 (2) and if state or federal funds are available for such  
 17 purposes. The joint committee on finance may require the department of corrections  
 18 to submit the contracts to the committee for review and approval. The department  
 19 of corrections ~~children and families~~ may not make any payments under s. 48.526 to  
 20 a county for programs included in a contract under review by the committee. The  
 21 department of corrections shall request the department of children and families to

1 reimburse each county for the contracts from the appropriations under s. ~~20.410~~ (3)  
2 (~~ed~~) and (~~ke~~) 20.437 (1) (c) and (o) as appropriate.

**History:** 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334; 2011 a. 32; 2013 a. 20.

**History:** 1987 a. 27; 1989 a. 31, 107; 1991 a. 39, 269; 1993 a. 16, 446; 1995 a. 27; 1997 a. 27, 292; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2007 a. 20.

3 **SECTION 22.** 46.22 (1) (b) 1. b. of the statutes is amended to read:

4 46.22 (1) (b) 1. b. To make investigations which that relate to welfare services,  
5 except as for welfare services provided under ch. 48 and subch. III of ch. 49,  
6 community-based juvenile delinquency-related services, and juvenile correctional  
7 services, upon request by the department of health services.

**History:** 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

8 **SECTION 23.** 46.22 (1) (b) 2. a. of the statutes is created to read:

9 46.22 (1) (b) 2. a. To administer community-based juvenile  
10 delinquency-related services under s. 48.526.

11 **SECTION 24.** 46.22 (1) (b) 2. c. of the statutes is amended to read:

12 46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch.  
13 III of ch. 49 and investigations relating to community-based juvenile  
14 delinquency-related services upon request by the department of children and  
15 families.

**History:** 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

16 **SECTION 25.** 46.22 (1) (b) 5m. a. of the statutes is amended to read:

17 46.22 (1) (b) 5m. a. To administer juvenile delinquency-related correctional  
18 services under s. 301.26.

**History:** 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

19 **SECTION 26.** 46.22 (1) (b) 5m. c. of the statutes is amended to read:

1           46.22 (1) (b) 5m. c. To make investigations relating to juvenile  
2 delinquency-related correctional services upon request by the department of  
3 corrections.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

4           **SECTION 27.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

5           46.22 (1) (e) 3. a. A county department of social services shall develop, under  
6 the requirements of s. 46.036, plans and contracts for the purchase of care and  
7 services, except for care and services provided under ch. 48, subch. III of ch. 49, and  
8 s. 301.08 (2), ~~to be purchased and community-based juvenile delinquency-related~~  
9 services. The department of health services may review the contracts and approve  
10 them if they are consistent with s. 46.036 and to the extent that state or federal funds  
11 are available for ~~such~~ those purposes. The joint committee on finance may require  
12 the department of health services to submit the contracts to the committee for review  
13 and approval. The department of health services may not make any payments to a  
14 county for programs included in the contract that is under review by the committee.  
15 The department of health services shall reimburse each county for the contracts from  
16 the appropriations under s. 20.435 (7) (b) and (o) according to s. 46.495.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

17           **SECTION 28.** 46.22 (1) (e) 3. b. of the statutes is amended to read:

18           46.22 (1) (e) 3. b. A county department of social services shall develop, under  
19 the requirements of s. 49.34, plans and contracts for the purchase of care and services  
20 under ch. 48 and subch. III of ch. 49 ~~to be purchased and of community-based~~  
21 juvenile delinquency-related services. The department of children and families may  
22 review the contracts and approve them if they are consistent with s. 49.34 and to the

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

**History:** 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

6 **SECTION 29.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

7 46.22 (1) (e) 3. c. A county department of social services shall develop, under  
8 the requirements of s. 301.08 (2), plans and contracts for the purchase of juvenile  
9 delinquency-related care and services to be purchased correctional services. The  
10 department of corrections may review the contracts and approve them if they are  
11 consistent with s. 301.08 (2) and to the extent that state or federal funds are available  
12 for ~~such~~ those purposes. The joint committee on finance may require the department  
13 of corrections to submit the contracts to the committee for review and approval. The  
14 department of ~~corrections~~ children and families may not make any payments under  
15 s. 48.526 to a county for programs included in the contract that is under review by  
16 the committee. The department of corrections shall request the department of  
17 children and families to reimburse each county for the contracts from the  
18 appropriations under s. ~~20.410 (3) (ed) and (ke)~~ 20.437 (1) (cj) and (o) as appropriate.

**History:** 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

19 **SECTION 30.** 46.22 (2g) (d) of the statutes is renumbered 46.22 (2g) (d) (intro.)

20 and amended to read:

21 46.22 (2g) (d) (intro.) Prepare, with the assistance of the county social services  
22 director under sub. (3m) (b) 5., ~~a-~~ all of the following:

1 1. A proposed budget for submission to the county executive or county  
2 administrator, ~~a.~~

3 2. A final budget for submission to the department of health services in  
4 accordance with s. 46.031 (1) for authorized services, except services under ch. 48,  
5 ~~or~~ subch. III of ch. 49, and s. 301.08 (2), ~~a~~ and authorized community-based juvenile  
6 delinquency-related services.

7 3. A final budget for submission to the department of children and families in  
8 accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch.  
9 49, ~~and a~~ and authorized community-based juvenile delinquency-related services.

10 4. A final budget for submission to the department of corrections in accordance  
11 with s. 301.031 (1) for authorized juvenile ~~delinquency-related~~ correctional services.

**History:** 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

12 **SECTION 31. 46.23 (5) (a) 1. of the statutes is amended to read:**

13 46.23 (5) (a) 1. Shall determine administrative and program policies, except as  
14 provided under ch. 48 and subch. III of ch. 49 and except for policies relating to  
15 community-based juvenile delinquency-related policies, services or to juvenile  
16 correctional services, within limits established by the department of health services.

17 Policy decisions, except as provided under ch. 48 and subch. III of ch. 49 and except  
18 for policy decisions relating to community-based juvenile delinquency-related

19 policies, or to juvenile correctional policies, that are not reserved by statute for the  
20 department of health services may be delegated by the secretary to the county  
21 human services board.

**History:** 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

22 **SECTION 32. 46.23 (5) (a) 2. of the statutes is amended to read:**

Services

Services

1           46.23 (5) (a) 2. Shall determine administrative and program policies under ch.  
2   48 and subch. III of ch. 49 and administrative and program policies relating to  
3   community-based juvenile delinquency-related services within limits established  
4   by the department of children and families. Policy decisions under ch. 48 and subch.  
5   III of ch. 49 and policy decisions relating to community-based juvenile  
6   delinquency-related services that are not reserved by statute for the department of  
7   children and families may be delegated by the secretary of children and families to  
8   the county human services board.

**History:** 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

9           **SECTION 33.** 46.23 (5) (a) 3. of the statutes is amended to read:

10           46.23 (5) (a) 3. Shall determine ~~juvenile delinquency-related~~ administrative  
11   programs and policies relating to juvenile correctional services within limits  
12   established by the department of corrections. ~~Juvenile delinquency-related policy~~  
13   Policy decisions relating to juvenile correctional services that are not reserved by  
14   statute for the department of corrections may be delegated by the secretary of  
15   corrections to the county human services board.

**History:** 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

16           **SECTION 34.** 46.23 (5) (c) 1. of the statutes is amended to read:

17           46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
18   services under ch. 48 and subch. III of ch. 49, community-based juvenile  
19   delinquency-related services, and juvenile delinquency-related correctional  
20   services, are provided ~~or~~ by, purchased from, or contracted for with local providers,  
21   and monitor the performance of ~~such~~ those contracts. Purchase of services contracts  
22   shall be subject to the conditions specified in s. 46.036.

**History:** 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

1 SECTION 35. 46.23 (5) (c) 2. of the statutes is amended to read:

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

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

7 SECTION 36. 46.23 (5) (c) 3. of the statutes is amended to read:

8 46.23 (5) (c) 3. Shall determine whether state mandated juvenile  
9 delinquency-related correctional services are provided ~~or by~~, purchased from, or  
10 contracted for with local providers, and monitor the performance of ~~such~~ those  
11 contracts. Purchase of service contracts shall be subject to the conditions specified  
12 in s. 301.031.

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

13 SECTION 37. 46.23 (5) (n) 1. of the statutes is amended to read:

14 46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
15 authorized services, except for services under ch. 48 and subch. III of ch. 49, <sup>Plain</sup>  
16 community-based juvenile delinquency-related services, and juvenile <sup>and</sup>  
17 delinquency-related correctional services. Notwithstanding the categorization of or  
18 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval  
19 of the department of health services the county human services board may expend  
20 ~~these~~ those funds consistent with any service provided under s. 46.495 or 51.42.

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

21 SECTION 38. 46.23 (5) (n) 2. of the statutes is amended to read:



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

**History:** 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

7           **SECTION 39.** 46.23 (5) (n) 3. of the statutes is amended to read:

8           46.23 (5) (n) 3. Shall submit a final budget in accordance with s. 301.031 (1) for  
9           authorized juvenile delinquency-related correctional services.

**History:** 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

10          **SECTION 40.** 46.23 (5m) (c) of the statutes is amended to read:

11          46.23 (5m) (c) Prepare, with the assistance of the county human services  
12          director under sub. (6m) (e), a proposed budget for submission to the county executive  
13          or county administrator,; a final budget for submission to the department of health  
14          services in accordance with s. 46.031 (1) for authorized services, except services  
15          under ch. 48 and subch. III of ch. 49 and, community-based juvenile  
16          delinquency-related services, and juvenile correctional services; a final budget for  
17          submission to the department of children and families in accordance with s. 49.325  
18          for authorized services under ch. 48 and subch. III of ch. 49, and for authorized  
19          community-based juvenile delinquency-related services; and a final budget for  
20          submission to the department of corrections in accordance with s. 301.031 for  
21          authorized juvenile delinquency-related correctional services.

**History:** 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

22          **SECTION 41.** 46.23 (6) (a) (intro.) of the statutes is amended to read:

1           46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)  
 2 (f) shall have all of the administrative and executive powers and duties of managing,  
 3 operating, maintaining, and improving the services and programs of the county  
 4 department of human services, Those powers and duties are subject to the rules  
 5 promulgated by the department of health services for programs, except that, with  
 6 respect to services or programs under ch. 48 and subch. III of ch. 49 and  
 7 community-based juvenile delinquency-related services or programs, those powers  
 8 and duties are subject to the rules promulgated by the department of children and  
 9 families ~~for services or programs under ch. 48 and subch. III of ch. 49, and, with~~  
 10 respect to juvenile correctional services or programs, those powers and duties are  
 11 subject to the rules promulgated by the department of corrections ~~for juvenile~~  
 12 ~~delinquency-related services or programs.~~ In consultation with the county human  
 13 services board under sub. (5) and subject to its approval, the county human services  
 14 director shall prepare all of the following:

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

X 15           ~~SECTION 42. 48.47 (4) of the statutes is renumbered 48.47 (4) (a).~~

X 16           ~~SECTION 43. 48.47 (4) (b) of the statutes is created to read:~~

17           ~~48.47 (4) (b) Study causes and methods of prevention and treatment of juvenile~~  
 18 ~~delinquency and related social problems. The department may use all powers~~  
 19 ~~provided by the statutes, including the authority to accept grants of money or~~  
 20 ~~property from federal, state or private sources, and enlist the cooperation of other~~  
 21 ~~agencies and state departments.~~

N 22           ~~SECTION 44. 48.47 (10) of the statutes is created to read:~~

23           ~~48.47 (10) DELINQUENT JUVENILES. Subject to sub. 301.03 (9), (9r), and (10),~~  
 24 ~~execute the laws relating to the detention, reformation, and correction of delinquent~~

1 juveniles and promote the enforcement of laws for the protection of those juveniles  
2 by doing all of the following:

3 (a) Cooperating with courts, the department of corrections, county  
4 departments, licensed child welfare agencies, and institutions in providing  
5 community-based programming, including in-home programming and intensive  
6 supervision, for delinquent juveniles.

7 (b) Establishing and enforcing standards for the development and delivery of  
8 services provided by the department under ch. 938 in regard to juveniles who have  
9 been adjudicated delinquent.

**History:** 1989 a. 31, 107, 121, 188, 336; 1991 a. 39; 1993 a. 16, 377, 479; 1995 a. 27 ss. 6355, 6356m, 6356p, 9126 (19); 1995 a. 77, 141; 1997 a. 27, 35, 237, 275, 283, 284; 1999 a. 9, 32; 2001 a. 16, 109; 2003 a. 321; 2005 a. 344, 431, 434, 451; 2007 a. 1; 2007 a. 20 ss. 3100g, 9121 (6) (a); 2007 a. 96, 97; 2009 a. 28, 100; 2011 a. 32, 38; 2013 a. 196, 334.

10 **SECTION 45.** 48.48 (1) of the statutes is amended to read:

11 48.48 (1) To promote the enforcement of the laws relating to nonmarital  
12 children, delinquent juveniles, children and juveniles in need of protection or  
13 services, including developmentally disabled children, and unborn children in need  
14 of protection or services and to take the initiative in all matters involving the  
15 interests of those children, juveniles, and unborn children when adequate provision  
16 for those interests is not made. This duty shall be discharged in cooperation with the  
17 courts, the department of correction, county departments, licensed child welfare  
18 agencies ~~and with~~, parents, expectant mothers, and other individuals interested in  
19 the welfare of children, juveniles, and unborn children.

**History:** 1973 c. 90, 333; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 354, 418, 447, 449; 1979 c. 34 ss. 833m, 834, 2102 (20) (a); 1979 c. 221, 300; 1983 a. 27 s. 2202 (20); 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 135, 176; 1985 a. 332 s. 251 (3); 1987 a. 339; 1989 a. 31, 107, 359; 1991 a. 316; 1993 a. 16, 375, 385, 446, 491; 1995 a. 27 ss. 2526 to 2534m, 9126 (19), 9145 (1); 1995 a. 77; 1997 a. 27, 35, 80, 105, 292; 1999 a. 9; 2001 a. 38, 59, 69; 2005 a. 25, 293; 2007 a. 20; 2009 a. 28, 71, 94, 180, 185; 2011 a. 258; 2013 a. 20; 2013 a. 165 s. 115; 2013 a. 334.

20 **SECTION 46.** 48.48 (4) of the statutes is amended to read:

21 48.48 (4) In order to discharge more effectively its responsibilities under this  
22 chapter and other relevant provisions of the statutes, to study causes and methods  
23 of prevention and treatment of problems among children and families, delinquency,

1 and related social problems. The department may utilize all powers provided by the  
2 statutes, including the authority to accept grants of money or property from federal,  
3 state, or private sources, and enlist the cooperation of other appropriate agencies and  
4 state departments.

**History:** 1973 c. 90, 333; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 354, 418, 447, 449; 1979 c. 34 ss. 833m, 834, 2102 (20) (a); 1979 c. 221, 300; 1983 a. 27 s. 2202 (20); 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 135, 176; 1985 a. 332 s. 251 (3); 1987 a. 339; 1989 a. 31, 107, 359; 1991 a. 316; 1993 a. 16, 375, 385, 446, 491; 1995 a. 27 ss. 2526 to 2534m, 9126 (19), 9145 (1); 1995 a. 77; 1997 a. 27, 35, 80, 105, 292; 1999 a. 9; 2001 a. 38, 59, 69; 2005 a. 25, 293; 2007 a. 20; 2009 a. 28, 71, 94, 180, 185; 2011 a. 258; 2013 a. 20; 2013 a. 165 s. 115; 2013 a. 334.

5 **SECTION 47.** 48.48 (8p) of the statutes is amended to read:

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

**History:** 1973 c. 90, 333; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 354, 418, 447, 449; 1979 c. 34 ss. 833m, 834, 2102 (20) (a); 1979 c. 221, 300; 1983 a. 27 s. 2202 (20); 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 135, 176; 1985 a. 332 s. 251 (3); 1987 a. 339; 1989 a. 31, 107, 359; 1991 a. 316; 1993 a. 16, 375, 385, 446, 491; 1995 a. 27 ss. 2526 to 2534m, 9126 (19), 9145 (1); 1995 a. 77; 1997 a. 27, 35, 80, 105, 292; 1999 a. 9; 2001 a. 38, 59, 69; 2005 a. 25, 293; 2007 a. 20; 2009 a. 28, 71, 94, 180, 185; 2011 a. 258; 2013 a. 20; 2013 a. 165 s. 115; 2013 a. 334.

15 **SECTION 48.** 48.526 (title) of the statutes is created to read:

16 **48.526 (title) Community youth and family aids.**

**History:** 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

17 **SECTION 49.** 48.526 (1) of the statutes is created to read:

18 48.526 (1) PROCEDURES. The department shall develop procedures for the  
19 implementation of this section and standards for the development and delivery of  
20 community-based juvenile delinquency-related services, as defined in s. 46.011 (1c),  
21 and shall provide consultation and technical assistance to aid counties in the  
22 implementation and delivery of those services. The department shall establish

delete  
xtra  
space

1 information systems and monitoring and evaluation procedures to report  
2 periodically to the governor and legislature on the statewide impact of this section.

3 SECTION 50. 48.985 (3) of the statutes is amended to read:

4 48.985 (3) COMMUNITY YOUTH AND FAMILY AIDS. From the appropriation account  
5 under s. 20.410 (3) (ke) 20.437 (1) (o), the department of corrections shall allocate,  
6 to county departments under ss. 46.215, 46.22, and 46.23 for the provision of services  
7 under s. 301.26 48.526, not more than \$1,100,000 in each fiscal year.

X 8 SECTION 51. 49.11 (1) of the statutes is renumbered 49.11 (1e).

9 SECTION 52. 49.11 (1c) of the statutes is created to read:

10 49.11 (1c) "Community-based juvenile delinquency-related services" means  
11 juvenile delinquency-related services provided under ch. 938 other than services  
12 provided for a juvenile who is being held in a juvenile detention facility or who is  
13 under the supervision of the department of corrections under s. 938.183, 938.34 (4h),  
14 (4m), or (4n), or 938.357 (4).

15 SECTION 53. 49.275 of the statutes is amended to read:

16 49.275 Cooperation with federal government. The department may  
17 cooperate with the federal government in carrying out federal acts concerning public  
18 assistance under this subchapter and, child welfare under ch. 48, and  
19 community-based juvenile delinquency-related services under ch. 938 and in other  
20 matters of mutual concern under this subchapter pertaining to public welfare and  
21 under ch. 48 pertaining to, child welfare, and juvenile delinquency under this  
22 subchapter and chs. 48 and 938.

History: 1995 a. 27; 2007 a. 20.

23 SECTION 54. 49.32 (1) (a) of the statutes is amended to read:

1           49.32 (1) (a) Except as provided in s. 49.345 (14) (b) and (c), the department  
2 shall establish a uniform system of fees for services ~~provided or purchased~~ under this  
3 subchapter and ch. 48, and community-based juvenile delinquency-related services  
4 under ch. 938, purchased or provided by the department, or by a county department  
5 under s. 46.215, 46.22, or 46.23, except as provided in s. 49.22 (6) and except when,  
6 as determined by the department, a fee is administratively unfeasible or would  
7 significantly prevent accomplishing the purpose of the service. A county department  
8 under s. 46.215, 46.22, or 46.23 shall apply the fees that it collects under this program  
9 to cover the cost of those services. The department shall report to the joint committee  
10 on finance no later than March 1 of each year on the number of children placed for  
11 adoption by the department during the previous year and the costs to the state for  
12 services relating to such adoptions.

History: 1995 a. 27 ss. 2035 to 2037, 2276d, 2805 to 2809, 2927 to 2930, 3146 to 3149; 1995 a. 289, 361, 370, 404; 1997 a. 27, 35, 237, 252, 283; 2001 a. 16; 2003 a. 33; 2007 a. 20 ss. 1483 to 1491, 9121 (6) (a); 2009 a. 28; 2013 a. 226.

13           **SECTION 55.** 49.32 (1) (b) of the statutes is amended to read:

14           49.32 (1) (b) Except as provided in s. 49.345 (14) (b) and (c), any person  
15 receiving services purchased or provided ~~or purchased~~ under par. (a) or the spouse  
16 of the person and, in the case of a minor, the parents of the person, and, in the case  
17 of a foreign child described in s. 48.839 (1) who became dependent on public funds  
18 for his or her primary support before an order granting his or her adoption, the  
19 resident of this state appointed guardian of the child by a foreign court who brought  
20 the child into this state for the purpose of adoption, shall be liable for the services in  
21 the amount of the fee established under par. (a).

History: 1995 a. 27 ss. 2035 to 2037, 2276d, 2805 to 2809, 2927 to 2930, 3146 to 3149; 1995 a. 289, 361, 370, 404; 1997 a. 27, 35, 237, 252, 283; 2001 a. 16; 2003 a. 33; 2007 a. 20 ss. 1483 to 1491, 9121 (6) (a); 2009 a. 28; 2013 a. 226.

22           **SECTION 56.** 49.32 (2) (b) of the statutes is amended to read:

1           49.32 (2) (b) The department may make social services payments and  
2           payments for community-based juvenile delinquency-related services directly to  
3           recipients, vendors, or providers in accordance with law and rules of the department  
4           on behalf of the counties ~~which~~ that have contracts to have ~~such~~ those payments  
5           made on their behalf.

History: 1995 a. 27 ss. 2035 to 2037, 2276d, 2805 to 2809, 2927 to 2930, 3146 to 3149; 1995 a. 289, 361, 370, 404; 1997 a. 27, 35, 237, 252, 283; 2001 a. 16; 2003 a. 33; 2007 a. 20 ss. 1483 to 1491, 9121 (6) (a); 2009 a. 28; 2013 a. 226.

6           **SECTION 57.** 49.32 (12) of the statutes is amended to read:

7           49.32 (12) ADMINISTRATIVE HEARINGS AND APPEALS. Any hearing under s. 227.42  
8           granted by the department under this subchapter or ch. 48 or 938 may be conducted  
9           before the division of hearings and appeals in the department of administration.

History: 1995 a. 27 ss. 2035 to 2037, 2276d, 2805 to 2809, 2927 to 2930, 3146 to 3149; 1995 a. 289, 361, 370, 404; 1997 a. 27, 35, 237, 252, 283; 2001 a. 16; 2003 a. 33; 2007 a. 20 ss. 1483 to 1491, 9121 (6) (a); 2009 a. 28; 2013 a. 226.

10          **SECTION 58.** 49.325 (1) (a) of the statutes is amended to read:

11          49.325 (1) (a) Each county department under s. 46.215, 46.22, or 46.23 shall  
12          submit its final budget for services purchased or directly provided or purchased  
13          under this subchapter or ch. 48 and for community-based juvenile  
14          delinquency-related services purchased or directly provided under ch. 938 to the  
15          department by December 31 annually.

History: 1995 a. 27; 2007 a. 20.

16          **SECTION 59.** 49.325 (2) of the statutes is amended to read:

17          49.325 (2) ASSESSMENT OF NEEDS. Before developing and submitting a proposed  
18          budget for services purchased or directly provided or purchased under this  
19          subchapter or ch. 48 and for community-based juvenile delinquency-related  
20          services purchased or directly provided under ch. 938 to the county executive or  
21          county administrator or the county board, the county departments listed in sub. (1)

1 shall assess needs and inventory resources and services, using an open public  
2 participation process.

History: 1995 a. 27; 2007 a. 20.

3 **SECTION 60.** 49.325 (2g) (a) of the statutes is amended to read:

4 49.325 (2g) (a) The department shall annually submit to the county board of  
5 supervisors in a county with a single-county department or the county boards of  
6 supervisors in counties with a multicounty department a proposed written contract  
7 containing the allocation of funds for services purchased or directly provided or  
8 purchased under this subchapter or ch. 48, for community-based juvenile  
9 delinquency-related services purchased or directly provided under ch. 938, and for  
10 such administrative requirements as necessary. The contract as approved may  
11 contain conditions of participation consistent with federal and state law. The  
12 contract may also include provisions necessary to ensure uniform cost accounting of  
13 services. Any changes to the proposed contract shall be mutually agreed upon. The  
14 county board of supervisors in a county with a single-county department or the  
15 county boards of supervisors in counties with a multicounty department shall  
16 approve the contract before January 1 of the year in which it takes effect unless the  
17 department grants an extension. The county board of supervisors in a county with  
18 a single-county department or the county boards of supervisors in counties with a  
19 multicounty department may designate an agent to approve addenda to any contract  
20 after the contract has been approved.

History: 1995 a. 27; 2007 a. 20.

21 **SECTION 61.** 49.325 (2g) (b) of the statutes is amended to read:

22 49.325 (2g) (b) The department may not approve contracts for amounts in  
23 excess of available revenues. The county board of supervisors in a county with a  
24 single-county department or the county boards of supervisors in counties with a



1 multicounty department may appropriate funds for community-based juvenile  
2 delinquency-related services. Actual expenditure of county funds shall be reported  
3 in compliance with procedures developed by the department.

4 **History:** 1995 a. 27; 2007 a. 20.

**SECTION 62.** 49.325 (2g) (c) of the statutes is amended to read:

5 49.325 (2g) (c) The joint committee on finance may require the department to  
6 submit contracts between county departments under ss. 46.215, 46.22, and 46.23  
7 and providers of services under this subchapter or ch. 48 or of community-based  
8 juvenile delinquency-related services under ch. 938 to the committee for review and  
9 approval.

10 **History:** 1995 a. 27; 2007 a. 20.

**SECTION 63.** 49.325 (2r) (a) 1. of the statutes is amended to read:

11 49.325 (2r) (a) 1. For services under this subchapter or ch. 48 or  
12 community-based juvenile delinquency-related services under ch. 938 that  
13 duplicate or are inconsistent with services being purchased or provided or purchased  
14 by the department or other county departments receiving grants-in-aid or  
15 reimbursement from the department.

16 **History:** 1995 a. 27; 2007 a. 20.

**SECTION 64.** 49.325 (2r) (a) 2. of the statutes is amended to read:

17 49.325 (2r) (a) 2. Inconsistent with state or federal statutes, rules, or  
18 regulations, in which case the department may also arrange for the provision of  
19 services under this subchapter or ch. 48 or community-based juvenile  
20 delinquency-related services under ch. 938 by an alternate agency. The department  
21 may not arrange for the provision of those services by an alternate agency unless the  
22 joint committee on finance or a review body designated by the committee reviews and  
23 approves the department's determination.

**History:** 1995 a. 27; 2007 a. 20.

1           **SECTION 65.** 49.34 (1) of the statutes is amended to read:

2           49.34 (1) All services under this subchapter and ch. 48 and all  
3 community-based juvenile delinquency-related services under ch. 938 purchased ✓  
4 by the department or by a county department under s. 46.215, 46.22, or 46.23 shall  
5 be authorized and contracted for under the standards established under this section.  
6 The department may require the county departments to submit the contracts to the  
7 department for review and approval. For purchases of \$10,000 or less the  
8 requirement for a written contract may be waived by the department. No contract  
9 is required for care provided by foster homes that are required to be licensed under  
10 s. 48.62. When the department directly contracts for services, ~~it~~ the department  
11 shall follow the procedures in this section in addition to meeting purchasing  
12 requirements established in s. 16.75.

History: 1995 a. 27; 1997 a. 79; 2007 a. 20; 2009 a. 28, 335.

13           **SECTION 66.** 49.34 (2) of the statutes is amended to read:

14           49.34 (2) All services purchased under this subchapter and ch. 48 and all  
15 community-based juvenile delinquency-related services purchased under ch. 938  
16 shall meet standards established by the department and other requirements  
17 specified by the purchaser in the contract. Based on these standards the department  
18 shall establish standards for cost accounting and management information systems  
19 that shall monitor the utilization of the services, and document the specific services  
20 in meeting the service plan for the client and the objective of the service.

History: 1995 a. 27; 1997 a. 79; 2007 a. 20; 2009 a. 28, 335.

21           **SECTION 67.** 49.345 (1) of the statutes is amended to read:

22           49.345 (1) Liability and the collection and enforcement of such liability for the  
23 care, maintenance, services, and supplies specified in this section are governed  
24 exclusively by this section, except in cases of child support ordered by a court under

1 s. 48.355 (2) (b) 4., 48.357 (5m) (a), ~~or~~ 48.363 (2), 938.183 (4), 938.355 (2) (b) 4.,  
2 938.357 (5m) (a), or 938.363 (2) or ch. 767.

3 **History:** 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; 2011 a. 260.

3 **SECTION 68.** 49.345 (2) of the statutes is amended to read:

4 49.345 (2) Except as provided in sub. (14) (b) and (c), any person, including ~~but~~  
5 ~~not limited to~~ a person placed under s. 48.345 (3) ~~or~~, 48.357 (1) or (2m), 938.183,  
6 938.34 (3) or (4d), or 938.357 (1), (2m), (4), or (5) (e), receiving care, maintenance,  
7 services, and supplies provided by any institution in this state, in which the state is  
8 chargeable with all or part of the person's care, maintenance, services, and supplies,  
9 and the person's property and estate, including the homestead, and the spouse of the  
10 person, and the spouse's property and estate, including the homestead, and, in the  
11 case of a minor child, the parents of the person, and their property and estates,  
12 including their homestead, and, in the case of a foreign child described in s. 48.839  
13 (1) who became dependent on public funds for his or her primary support before an  
14 order granting his or her adoption, the resident of this state appointed guardian of  
15 the child by a foreign court who brought the child into this state for the purpose of  
16 adoption, and his or her property and estate, including his or her homestead, shall  
17 be liable for the cost of the care, maintenance, services, and supplies in accordance  
18 with the fee schedule established by the department under s. 49.32 (1). If a spouse,  
19 widow, or minor, or an incapacitated person may be lawfully dependent upon the  
20 property for his or her support, the court shall release all or such part of the property  
21 and estate from the charges that may be necessary to provide for the person. The  
22 department shall make every reasonable effort to notify the liable persons as soon

1 as possible after the beginning of the maintenance, but the notice or the receipt  
2 ~~thereof~~ of the notice is not a condition of liability.

3 History: 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; 2011 a. 260.

**SECTION 69.** 49.345 (8) (g) of the statutes is amended to read:

4 49.345 (8) (g) Pay quarterly from the appropriation under s. 20.437 (1) (gg) the  
5 collection moneys due county departments under ss. 46.215, 46.22, and 46.23.  
6 Payments shall be made as soon after the close of each quarter as is practicable.

7 History: 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; 2011 a. 260.

**SECTION 70.** 49.345 (14) (b) of the statutes is amended to read:

8 49.345 (14) (b) Except as provided in par. (c), and subject to par. (cm), liability  
9 of a parent specified in sub. (2) or s. 49.32 (1) for the care and maintenance of the  
10 parent's minor child who has been placed by a court order under s. 48.355 ~~or~~, 48.357,  
11 938.183, 938.355, or 938.357 in a residential, nonmedical facility such as a group  
12 home, foster home, subsidized guardianship home, or residential care center for  
13 children and youth shall be determined by the court by using the percentage  
14 standard established by the department under s. 49.22 (9) and by applying the  
15 percentage standard in the manner established by the department under par. (g).

16 History: 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; 2011 a. 260.

**SECTION 71.** 49.345 (14) (e) 1. of the statutes is amended to read:

17 49.345 (14) (e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m) (a), ~~or~~,  
18 48.363 (2), 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) (a), or 938.363 (2) for support  
19 determined under this subsection constitutes an assignment of all commissions,  
20 earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108, and other  
21 money due or to be due in the future to the county department under s. 46.215, 46.22,  
22 or 46.23 in the county where the order was entered or to the department, depending

Insert  
29-2

1 upon the placement of the child as specified by rules promulgated under subd. 5. The  
2 assignment shall be for an amount sufficient to ensure payment under the order.

3 History: 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; 2011 a. 260.

**SECTION 72.** 49.345 (16) of the statutes is amended to read:

4 49.345 (16) The department shall delegate to county departments under ss.  
5 46.215, 46.22, and 46.23 or the local providers of care and services meeting the  
6 standards established by the department under s. 49.34 the responsibilities vested  
7 in the department under this section for collection of fees for services other than  
8 those provided at state facilities, if the county departments or providers meet the  
9 conditions that the department determines are appropriate. The department may  
10 delegate to county departments under ss. 46.215, 46.22, and 46.23 the  
11 responsibilities vested in the department under this section for collection of fees for  
12 services provided at the state facilities if the necessary conditions are met.

13 History: 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; 2011 a. 260.

**SECTION 73.** 49.35 (1) (a) of the statutes is amended to read:

14 49.35 (1) (a) The department shall supervise the administration of programs  
15 under this subchapter and ch. 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. 48 in such form and containing such information as the federal  
19 authorities require, and shall comply with all requirements prescribed to ensure  
20 their correctness.

and of community-based juvenile  
delinquency-related programs under ch. 938

21 History: 1995 a. 27; 2005 a. 344; 2007 a. 20.

**SECTION 74.** 49.35 (1) (b) of the statutes is amended to read:

22 49.35 (1) (b) All records of the department and all county records relating to  
23 programs under this subchapter and ch. 48, community-based juvenile  
24 delinquency-related programs under ch. 938, and aid under s. 49.18, 1971 stats., s.

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

History: 1995 a. 27; 2005 a. 344; 2007 a. 20.

7 **SECTION 75.** 49.35 (2) of the statutes is amended to read:

8 49.35 (2) The county administration of all laws relating to programs under this  
9 subchapter and ch. 48 and to community-based juvenile delinquency-related  
10 programs under ch. 938 shall be vested in the officers and agencies designated in the  
11 statutes.

History: 1995 a. 27; 2005 a. 344; 2007 a. 20.

12 **SECTION 76.** 49.45 (6m) (br) 1. of the statutes is amended to read:

13 49.45 (6m) (br) 1. Notwithstanding s. ~~20.410 (3) (ed)~~, 20.435 ~~or~~ (7) (b) or 20.437  
14 (1) (cj) or (2) (dz), the department shall reduce allocations of funds to counties in the  
15 amount of the disallowance from the appropriation account under s. 20.435 (7) (b),  
16 or the department shall direct the department of children and families to reduce  
17 allocations of funds to counties or Wisconsin Works agencies in the amount of the  
18 disallowance from the appropriation account under s. 20.437 (1) (cj) or (2) (dz) ~~or~~  
19 ~~direct the department of corrections to reduce allocations of funds to counties in the~~  
20 ~~amount of the disallowance from the appropriation account under s. 20.410 (3) (ed)~~,  
21 in accordance with s. 16.544 to the extent applicable.

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 386, 441; 2007 a. 20 ss. 1513 to 1559h, 9121 (6) (a); 2007 a. 90, 97, 104, 141, 153; 2009 a. 2, 28, 113, 177, 180, 190, 221, 334, 342; 2011 a. 10, 32, 120, 126, 158, 192, 209, 258; 2011 a. 260 s. 81; 2013 a. 20, 92; 2013 a. 116 ss. 2, 3, 29, 30; 2013 a. 117 ss. 2, 4; 2013 a. 130; 2013 a. 165 s. 114; 2013 a. 226.

1           **SECTION 77.** 227.43 (1) (by) of the statutes is amended to read:

2           227.43 (1) (by) Assign a hearing examiner to preside over any hearing of a  
3           contested case that is required to be conducted by the department of children and  
4           families under ch. 48 or 938 or subch. III of ch. 49 and that is not conducted by the  
5           secretary of children and families.

**History:** 1977 c. 418; 1981 c. 20 s. 2202 (1) (b); 1983 a. 27; 1985 a. 182 ss. 16 to 18, 29, 31; Stats. 1985 s. 227.43; 1993 a. 16; 1995 a. 370; 1997 a. 3, 27; 1999 a. 9, 31, 185, 186; 2003 a. 118; 2005 a. 465; 2007 a. 20 ss. 2998 to 3001, 9121 (6) (a); 2013 a. 115.

6           **SECTION 78.** 301.01 (1n) of the statutes is created to read:

7           301.01 (1n) “Juvenile correctional services” means services provided for a  
8           juvenile who is being held in a juvenile detention facility or who is under the  
9           supervision of the department under s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357  
10          (4).

11          **SECTION 79.** 301.025 of the statutes is amended to read:

12          **301.025 Division of juvenile corrections.** The division of juvenile  
13          corrections shall exercise the powers and perform the duties of the department that  
14          relate to juvenile correctional services and institutions, juvenile offender review,  
15          aftercare, corrective sanctions, and the serious juvenile offender program under s.  
16          938.538, ~~and youth aids.~~

**History:** 1995 a. 27, 77; 2003 a. 33.

17          **SECTION 80.** 301.03 (10) (a) of the statutes is amended to read:

18          301.03 (10) (a) Execute the laws relating to the detention, reformation, and  
19          correction of ~~delinquents~~ delinquent juveniles placed under its jurisdiction.

**History:** 1989 a. 31, 107, 121, 188, 336; 1991 a. 39; 1993 a. 16, 377, 479; 1995 a. 27 ss. 6355, 6356m, 6356p, 9126 (19); 1995 a. 77, 141; 1997 a. 27, 35, 237, 275, 283, 284; 1999 a. 9, 32; 2001 a. 16, 109; 2003 a. 321; 2005 a. 344, 431, 434, 451; 2007 a. 1; 2007 a. 20 ss. 3100g, 9121 (6) (a); 2007 a. 96, 97; 2009 a. 28, 100; 2011 a. 32, 38; 2013 a. 196, 334.

20          **SECTION 81.** 301.03 (10) (c) of the statutes is amended to read:

21          301.03 (10) (c) Promote the enforcement of laws for the protection of delinquent  
22          children juveniles under its jurisdiction. To this end, the department shall cooperate  
23          with courts assigned to exercise jurisdiction under chs. 48 and 938, the department

juveniles

1 of children and families, county departments under ss. 46.215, 46.22, and 46.23 and,  
2 licensed child welfare agencies, and institutions in providing community-based  
3 programming, including in-home programming and intensive supervision, for  
4 delinquent children under its jurisdiction. The department shall also establish and  
5 enforce standards for the development and delivery of services provided by the  
6 department under ch. 938 in regard to juveniles who have been adjudicated  
7 delinquent and placed under the jurisdiction of the department.

History: 1989 a. 31, 107, 121, 188, 336; 1991 a. 39; 1993 a. 16, 377, 479; 1995 a. 27 ss. 6355, 6356m, 6356p, 9126 (19); 1995 a. 77, 141; 1997 a. 27, 35, 237, 275, 283, 284; 1999 a. 9, 32; 2001 a. 16, 109; 2003 a. 321; 2005 a. 344, 431, 434, 451; 2007 a. 1; 2007 a. 20 ss. 3100g, 9121 (6) (a); 2007 a. 96, 97; 2009 a. 28, 100; 2011 a. 32, 38; 2013 a. 196, 334.

8 SECTION 82. 301.03 (18) (a) of the statutes is amended to read:

9 301.03 (18) (a) Except as provided in s. 301.12 (14) (b) and (c), establish a  
10 uniform system of fees for juvenile delinquency-related services provided or  
11 purchased correctional services purchased or provided by the department or a county  
12 department under s. 46.215, 46.22, or 46.23, except for services provided to courts;  
13 outreach, information and referral services; or when, as determined by the  
14 department, a fee is administratively unfeasible or would significantly prevent  
15 accomplishing the purpose of the service. A county department under s. 46.215,  
16 46.22, or 46.23 shall apply the fees that it collects under this program to cover the  
17 cost of those services.

History: 1989 a. 31, 107, 121, 188, 336; 1991 a. 39; 1993 a. 16, 377, 479; 1995 a. 27 ss. 6355, 6356m, 6356p, 9126 (19); 1995 a. 77, 141; 1997 a. 27, 35, 237, 275, 283, 284; 1999 a. 9, 32; 2001 a. 16, 109; 2003 a. 321; 2005 a. 344, 431, 434, 451; 2007 a. 1; 2007 a. 20 ss. 3100g, 9121 (6) (a); 2007 a. 96, 97; 2009 a. 28, 100; 2011 a. 32, 38; 2013 a. 196, 334.

18 SECTION 83. 301.03 (18) (am) of the statutes is renumbered 49.32 (1) (ap).

19 SECTION 84. 301.03 (18) (b) of the statutes is amended to read:

20 301.03 (18) (b) Except as provided in s. 301.12 (14) (b) and (c), hold liable for  
21 the services purchased or provided or purchased under par. (a) in the amount of the  
22 fee established under par. (a) any person receiving those services or the spouse of the  
23 person and, in the case of a minor, the parents of the person, and, in the case of a



1 foreign child described in s. 48.839 (1) who became dependent on public funds for his  
2 or her primary support before an order granting his or her adoption, the resident of  
3 this state appointed guardian of the child by a foreign court who brought the child  
4 into this state for the purpose of adoption.

**History:** 1989 a. 31, 107, 121, 188, 336; 1991 a. 39; 1993 a. 16, 377, 479; 1995 a. 27 ss. 6355, 6356m, 6356p, 9126 (19); 1995 a. 77, 141; 1997 a. 27, 35, 237, 275, 283, 284; 1999 a. 9, 32; 2001 a. 16, 109; 2003 a. 321; 2005 a. 344, 431, 434, 451; 2007 a. 1; 2007 a. 20 ss. 3100g, 9121 (6) (a); 2007 a. 96, 97; 2009 a. 28, 100; 2011 a. 32, 38; 2013 a. 196, 334.

5 **SECTION 85.** 301.031 (1) (a) of the statutes is amended to read:

6 301.031 (1) (a) Each county department under s. 46.215, 46.22, or 46.23 shall  
7 submit to the department by December 31 annually its final budget for juvenile  
8 correctional services purchased or directly provided ~~or purchased~~.

**History:** 1995 a. 27 ss. 6356r, 9126 (19); 1995 a. 77, 225; 1997 a. 35; 2007 a. 20 s. 9121 (6) (a).

9 **SECTION 86.** 301.031 (2) of the statutes is amended to read:

10 301.031 (2) ASSESSMENT OF NEEDS. Before developing and submitting a  
11 proposed budget for juvenile correctional services to the county executive or county  
12 administrator or the county board, the county departments listed in sub. (1) shall  
13 assess needs and inventory resources and services, using an open public  
14 participation process.

**History:** 1995 a. 27 ss. 6356r, 9126 (19); 1995 a. 77, 225; 1997 a. 35; 2007 a. 20 s. 9121 (6) (a).

15 **SECTION 87.** 301.031 (2g) (a) of the statutes is amended to read:

16 301.031 (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 juvenile correctional services and such  
20 administrative requirements as necessary. The contract as approved may contain  
21 conditions of participation consistent with federal and state law. The contract may  
22 also include provisions necessary to ensure uniform cost accounting of services. Any  
23 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.

History: 1995 a. 27 ss. 6356r, 9126 (19); 1995 a. 77, 225; 1997 a. 35; 2007 a. 20 s. 9121 (6) (a).

8 **SECTION 88.** 301.031 (2g) (b) of the statutes is amended to read:

9 301.031 (2g) (b) The department may not approve contracts for amounts in  
10 excess of available revenues. The county board of supervisors in a county with a  
11 single-county department or the county boards of supervisors in counties with a  
12 multicounty department may appropriate funds for juvenile delinquency-related  
13 correctional services. Actual expenditure of county funds shall be reported in  
14 compliance with procedures developed by the department, and shall comply with  
15 standards guaranteeing quality of care comparable to similar facilities.

History: 1995 a. 27 ss. 6356r, 9126 (19); 1995 a. 77, 225; 1997 a. 35; 2007 a. 20 s. 9121 (6) (a).

16 **SECTION 89.** 301.031 (2g) (c) of the statutes is amended to read:

17 301.031 (2g) (c) The joint committee on finance may require the department  
18 to submit contracts between county departments under ss. 46.215, 46.22, and 46.23  
19 and providers of service juvenile correctional services to the committee for review  
20 and approval.

History: 1995 a. 27 ss. 6356r, 9126 (19); 1995 a. 77, 225; 1997 a. 35; 2007 a. 20 s. 9121 (6) (a).

21 **SECTION 90.** 301.031 (2r) (a) 1. of the statutes is amended to read:

22 301.031 (2r) (a) 1. Is for juvenile correctional services which that duplicate or  
23 are inconsistent with services being purchased or provided ~~or purchased~~ by the

1 department or other county departments receiving grants-in-aid or reimbursement  
2 from the department.

3 **History:** 1995 a. 27 ss. 6356r, 9126 (19); 1995 a. 77, 225; 1997 a. 35; 2007 a. 20 s. 9121 (6) (a).

3 **SECTION 91.** 301.031 (2r) (a) 2. of the statutes is amended to read:

4 301.031 (2r) (a) 2. Is inconsistent with state or federal statutes, rules, or  
5 regulations, in which case the department may also arrange for provision of juvenile  
6 correctional services by an alternate agency. The department may not arrange for  
7 the provision of those services by an alternate agency unless the joint committee on  
8 finance or a review body designated by the committee reviews and approves the  
9 department's determination.

10 **History:** 1995 a. 27 ss. 6356r, 9126 (19); 1995 a. 77, 225; 1997 a. 35; 2007 a. 20 s. 9121 (6) (a).

10 **SECTION 92.** 301.032 (title) of the statutes is amended to read:

11 **301.032 (title) Juvenile delinquency-related correctional services;**  
12 **supervisory functions of state department.**

13 **History:** 1995 a. 27, 77; 2005 a. 344.

13 **SECTION 93.** 301.032 (1) (a) of the statutes is amended to read:

14 301.032 (1) (a) The department shall supervise the administration of juvenile  
15 delinquency-related correctional services. The department shall submit to the  
16 federal authorities state plans for the administration of juvenile  
17 delinquency-related correctional services in such form and containing such  
18 information as the federal authorities require, and shall comply with all  
19 requirements prescribed to ensure their correctness.

20 **History:** 1995 a. 27, 77; 2005 a. 344.

20 **SECTION 94.** 301.032 (1) (b) of the statutes is amended to read:

21 301.032 (1) (b) All records of the department and all county records relating to  
22 juvenile delinquency-related correctional services shall be open to inspection at all  
23 reasonable hours by authorized representatives of the federal government.

1 Notwithstanding ss. 48.396 (2) and 938.396 (2), all county records relating to the  
2 administration of those services shall be open to inspection at all reasonable hours  
3 by authorized representatives of the department.

4 History: 1995 a. 27, 77; 2005 a. 344.

**SECTION 95.** 301.032 (1) (c) of the statutes is amended to read:

5 301.032 (1) (c) The department may at any time audit all county records  
6 relating to the administration of juvenile ~~delinquency-related~~ correctional services  
7 and may at any time conduct administrative reviews of county departments under  
8 ss. 46.215, 46.22, and 46.23. If the department conducts such an audit or  
9 administrative review in a county, the department shall furnish a copy of the audit  
10 or administrative review report to the chairperson of the county board of supervisors  
11 and the county clerk in a county with a single-county department or to the county  
12 boards of supervisors and the county clerks in counties with a multicounty  
13 department, and to the director of the county department under s. 46.21, 46.22, or  
14 46.23.

15 History: 1995 a. 27, 77; 2005 a. 344.

**SECTION 96.** 301.032 (2) of the statutes is amended to read:

16 301.032 (2) The county administration of all laws relating to juvenile  
17 ~~delinquency-related~~ correctional services shall be vested in the officers and agencies  
18 designated in the statutes.

19 History: 1995 a. 27, 77; 2005 a. 344.

**SECTION 97.** 301.07 of the statutes is amended to read:

20 **301.07 Cooperation and contracts with federal government.** The  
21 department may cooperate with the federal government in carrying out federal acts  
22 concerning adult corrections and ~~youth corrections~~ juvenile correctional services and  
23 may enter into contracts with the federal government under 18 USC 5003.

History: 1989 a. 31, 107; 1995 a. 27; 1997 a. 27.

1           **SECTION 98.** 301.08 (2) (a) of the statutes is amended to read:

2           301.08 (2) (a) All care and services purchased by the department and all care  
3           and ~~services relating to juvenile delinquency~~ juvenile correctional services  
4           purchased by a county department under s. 46.215, 46.22, or 46.23 shall be  
5           authorized and contracted for under the standards established under this  
6           subsection. For purchases of \$10,000 or less the requirement for a written contract  
7           may be waived by the department. No contract is required for care provided by foster  
8           homes required to be licensed under s. 48.62. If the department directly contracts  
9           for services, it shall follow the procedures in this subsection in addition to meeting  
10          purchasing requirements established in s. 16.75.

History: 1989 a. 31, 107; 1995 a. 27, 352; 1997 a. 27, 205, 237, 275, 283; 1999 a. 9, 185; 2001 a. 59; 2005 a. 344; 2013 a. 20.

11          **SECTION 99.** 301.085 (2) of the statutes is amended to read:

12          301.085 (2) The department may make payments for juvenile  
13          ~~delinquency-related payments~~ correctional services directly to recipients, vendors,  
14          or providers in accordance with law and rules of the department on behalf of the  
15          counties which have contracts to have ~~such~~ those payments made on their behalf.

History: 1995 a. 27.

16          **SECTION 100.** 301.26 (title) of the statutes is amended to read:

17          **301.26 (title) ~~Community youth and family aids~~ Juvenile correctional**  
18          **services; state services.**

19          **SECTION 101.** 301.26 (1) of the statutes is amended to read:

20          301.26 (1) PROCEDURES. The department shall develop procedures for the  
21          implementation of this section and standards for the development and delivery of  
22          ~~juvenile delinquency-related services under ch. 938~~ correctional services, and shall  
23          provide consultation and technical assistance to aid counties in the implementation  
24          and ~~service~~ delivery of those services. The department shall establish information

1 systems, and monitoring and evaluation procedures to report periodically to the  
2 governor and legislature on the state statewide impact of this section.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

x 3 **SECTION 102.** 301.26 (2) of the statutes is renumbered 48.526 (2) and amended

4 to read:

5 48.526 (2) RECEIPT OF FUNDS. (a) All funds to counties under this section shall  
6 be allocated to county departments under ss. ~~46.21~~, 46.215, 46.22 and 46.23 subject  
7 to ss. ~~46.495 (2) and 301.031~~ 48.569 (2) and 49.325, except that monthly advance  
8 payments to the counties may be less than one-twelfth of the contracted amounts.  
9 No reimbursement may be made to any multicounty department until the counties  
10 ~~which~~ that established the department have drawn up a detailed contractual  
11 agreement, approved by the secretary, setting forth the plans for joint sponsorship.

12 (b) Uniform fees collected or received by counties under s. ~~301.03 (18)~~ 49.32 (1)  
13 for services provided under this section shall be applied to cover the cost of the  
14 services.

15 (c) All funds to counties under this section shall be used to purchase or provide  
16 community-based juvenile delinquency-related services under ch. 938, as defined  
17 in s. 46.011 (1c), and juvenile correctional services, as defined in s. 46.011 (1p), except  
18 that no funds to counties under this section may be used for purposes of land  
19 purchase, building construction, or maintenance of buildings under s. 46.17, 46.175,  
20 or 301.37, for reimbursement of costs under s. 938.209, for city lockups, or for  
21 reimbursement of care costs in temporary shelter care under s. 938.22. Funds to  
22 counties under this section may be used for reimbursement of costs of program  
23 services, other than basic care and supervision costs, in juvenile detention facilities.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

1 SECTION 103. 301.26 (2m) of the statutes is renumbered 48.526 (2m) and  
2 amended to read:

3 48.526 (2m) PUBLIC PARTICIPATION PROCESS. In determining the use of funds  
4 under this section, county departments under ss. ~~46.21~~, 46.215, 46.22 and 46.23 shall  
5 assess needs using an open public participation process ~~which~~ that involves  
6 representatives of those receiving services.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

7 SECTION 104. 301.26 (3) (title) of the statutes is renumbered 48.526 (3) (title).

8 SECTION 105. 301.26 (3) (a) of the statutes is renumbered 48.526 (3) (a) and  
9 amended to read:

10 48.526 (3) (a) Receipt of funds under this subsection is contingent upon use of  
11 ~~a~~ the public participation process required under sub. (2m).

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

12 SECTION 106. 301.26 (3) (c) of the statutes is renumbered 48.526 (3) (c) and  
13 amended to read:

14 48.526 (3) (c) Within the limits of the appropriations under s. ~~20.410 (3) (cd)~~  
15 ~~and (ko)~~ 20.437 (3) (c) and (o), the department shall allocate funds to each county for  
16 services under this section.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

17 SECTION 107. 301.26 (3) (dm) of the statutes is renumbered 48.526 (3) (dm) and  
18 amended to read:

19 48.526 (3) (dm) The department may carry forward for a county from one  
20 calendar year to another funds allocated under this subsection that are not spent or  
21 encumbered. The amount that the department may carry forward for a county under  
22 this paragraph may not exceed 5% ~~6 percent~~ of the amount allocated to the county

↑  
not strike

1 for the 12-month period ending December 31. The funds carried forward under this  
2 paragraph do not affect a county's base allocation.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

X 3 SECTION 108. 301.26 (3) (e) of the statutes is renumbered 48.526 (3) (e) and  
4 amended to read:

5 48.526 (3) (e) The department may carry forward \$500,000 or ~~10%~~ 10 percent  
6 of its funds allocated under this subsection and not encumbered or carried forward  
7 under par. (dm) by counties by December 31, whichever is greater, to the next 2  
8 calendar years. The department may transfer moneys from or within s. ~~20.410 (3)~~  
9 (ed) 20.437 (1) (cj) to accomplish this purpose. The department may allocate these  
10 transferred moneys to counties with persistently high rates of juvenile arrests for  
11 serious offenses during the next 2 calendar years to improve community-based  
12 juvenile delinquency-related services, as defined in s. 46.011 (1c). The allocation  
13 does not affect a county's base allocation.

no strike  
~~10%~~  
10 percent

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

X 14 SECTION 109. 301.26 (3) (em) of the statutes is renumbered 48.526 (3) (em) and  
15 amended to read:

16 48.526 (3) (em) The department may carry forward any emergency funds  
17 allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm)  
18 by December 31 to the next 2 calendar years. The department may transfer moneys  
19 from or within s. ~~20.410 (3)~~ (ed) 20.437 (1) (cj) to accomplish this purpose. The  
20 department may allocate these transferred moneys to counties that are eligible for  
21 emergency payments under sub. (7) (e). The allocation does not affect a county's base  
22 allocation.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

X 23 SECTION 110. 301.26 (4) (a) of the statutes is amended to read:



1           301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of  
 2           corrections shall bill counties or request the department of children and families to  
 3           deduct from the allocations under s. ~~20.410 (3) (ed)~~ 20.437 (1) (cj) for the costs of care,  
 4           services, and supplies purchased or provided by the department of corrections for  
 5           each person receiving services under s. 938.183 or 938.34 or the department of health  
 6           services for each person receiving services under s. 46.057 or 51.35 (3). The  
 7           department of corrections may not bill a county for or deduct request a deduction  
 8           from a county's allocation <sup>for</sup> the cost of care, services, and supplies provided to a person  
 9           subject to an order under s. 938.183 after the person reaches 18 years of age.  
 10          Payment shall be due within 60 days after the billing date. If any payment has not  
 11          been received within those 60 days, the department of corrections may request the  
 12          department of children and families to withhold aid payments in the amount due  
 13          from the appropriation under s. ~~20.410 (3) (ed)~~ 20.437 (1) (cj).

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20  
 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

X 14           **SECTION 111.** 301.26 (4) (b) of the statutes is amended to read:

15           301.26 (4) (b) Assessment of costs under par. (a) shall be made periodically on  
 16           the basis of the per person per day cost estimate specified in par. (d) 2., 3., and 4.  
 17           Except as provided in pars. (bm), (c), and (cm), liability shall apply to county  
 18           departments under s. ~~46.21,~~ 46.215, 46.22, or 46.23 in the county of the court  
 19           exercising jurisdiction under ch. 938 for each person receiving services from the  
 20           department of corrections under s. 938.183 or 938.34 or the department of health  
 21           services under s. 46.057 or 51.35 (3). Except as provided in pars. (bm), (c), and (cm),  
 22           in multicounty court jurisdictions, the county of residency within the jurisdiction  
 23           shall be liable for costs under this subsection. Assessment of costs under par. (a) shall  
 24           also be made according to the general placement type or level of care provided, as

1 defined by the department, and prorated according to the ratio of the amount  
2 designated under sub. s. 48.526 (3) (c) to the total applicable estimated costs of care,  
3 services, and supplies provided by the department of corrections under ss. 938.183  
4 and 938.34 and the department of health services under s. 46.057 or 51.35 (3).

**History:** 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20  
ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

5 **SECTION 112.** 301.26 (4) (bm) of the statutes is amended to read:

6 301.26 (4) (bm) Notwithstanding par. (b), the county department under s.  
7 ~~46.21~~, 46.215, 46.22, or 46.23 of the county of residency of a juvenile who has been  
8 adjudicated delinquent by a court of another county or by a court of another  
9 multicounty jurisdiction may voluntarily assume liability for the costs payable  
10 under par. (a). A county department may assume liability under this paragraph by  
11 a written agreement signed by the director of the county department that assumes  
12 liability under this paragraph and the director of the county department that is  
13 otherwise liable under par. (b).

**History:** 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20  
ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

14 **SECTION 113.** 301.26 (6) (title) of the statutes is renumbered 48.526 (6) (title).

15 **SECTION 114.** 301.26 (6) (a) of the statutes is renumbered 48.526 (6) (a) and  
16 amended to read:

17 48.526 (6) (a) ~~The intent of this subsection is to~~ department shall develop  
18 criteria as provided in par. (b) to assist the legislature in allocating funding,  
19 excluding funding for base allocations, from the appropriations under s. ~~20.410 (3)~~  
20 ~~(ed)~~ and ~~(k)~~ 20.437 (1) (c) and (o) for purposes described in this section.

**History:** 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20  
ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

21 **SECTION 115.** 301.26 (6) (b) of the statutes is renumbered 48.526 (6) (b) and

22 amended to read:

1 48.526 (6) (b) ~~The department shall submit recommendations to the joint~~  
 2 ~~committee on finance regarding criteria developed under par. (a) shall include~~  
 3 performance standards criteria to be used to determine whether counties are  
 4 successfully diverting juveniles from juvenile correctional institutions and into  
 5 facilities to less restrictive community programs and are successfully rehabilitating  
 6 children juveniles who are adjudged delinquent on or before December 31, 1987.  
 7 Beginning on January 1, 1988, counties. Counties shall provide information  
 8 requested by the department in order to apply the criteria and assess their  
 9 performances.

(use 7 times)

↑ as affected by 2015 Wisconsin Act 111 (this act) ↑

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3121, 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

Insert  
43-9

**SECTION 116.** 301.26 (7) (intro.) of the statutes is renumbered 48.526 (7) (intro.)

and amended to read:

12 48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
 13 of the appropriations under s. 20.410 (3) (ed) and (ko) 20.4347 (1) (c) and (d), the  
 14 department shall allocate funds for community youth and family aids for the period  
 15 beginning on July 1, 2013, and ending on June 30, 2015, as provided in this  
 16 subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

Insert  
43-16  
A

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3121, 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334.

**SECTION 117.** 301.26 (7) (b) of the statutes is renumbered 48.526 (7) (b).

**SECTION 118.** 301.26 (7) (bm) of the statutes is renumbered 48.526 (7) (bm).

**SECTION 119.** 301.26 (7) (c) of the statutes is renumbered 48.526 (7) (c).

**SECTION 120.** 301.26 (7) (e) of the statutes is renumbered 48.526 (7) (e).

**SECTION 121.** 301.26 (7) (h) of the statutes is renumbered 48.526 (7) (h).

**SECTION 122.** 301.26 (8) of the statutes is renumbered 48.526 (8).

**SECTION 123.** 301.263 (title) of the statutes is renumbered 48.528 (title).

Insert  
43-16B

Insert X  
43-18

Insert X  
43-19

Insert X  
43-25

Insert X  
43-21

X 23

Insert  
43-17

④ SEC. #. RN; 301.26(7)(a); 48.526 (7) (a);  
→ as affected by 2015 Wisconsin Act... (this act)

X 1 **SECTION 124.** 301.263 (1) of the statutes is renumbered 48.528 (1) and amended  
2 to read:

3 48.528 (1) From the appropriation under s. 20.410 (3) (f) 20.437 (1) (fm), the  
4 department shall distribute \$3,750,000 in each year to counties for early  
5 intervention services for first offenders and for intensive community-based  
6 intervention services for seriously chronic offenders.

History: 1995 a. 27, 77; 1997 a. 35; 1999 a. 9; 2005 a. 344; 2013 a. 20.

X 7 **SECTION 125.** 301.263 (2) of the statutes is renumbered 48.528 (2).

X 8 **SECTION 126.** 301.263 (3) of the statutes is renumbered 48.528 (3) and amended  
9 to read:

10 48.528 (3) The department shall distribute 33% ~~33 percent~~ of the amounts  
11 distributed under sub. (1) based on each county's proportion of the violent Part I  
12 juvenile arrests reported statewide under the uniform crime reporting system of the  
13 department of justice, during the most recent 2-year period for which that  
14 information is available. The department shall distribute 33% ~~33 percent~~ of the  
15 amounts distributed under sub. (1) based on each county's proportion of the number  
16 of juveniles statewide who are placed in a juvenile correctional facility or a secured  
17 residential care center for children and youth during the most recent 2-year period  
18 for which that information is available. The department shall distribute 34% ~~34~~  
19 ~~percent~~ of the amounts distributed under sub. (1) based on each county's proportion  
20 of the total Part I juvenile arrests reported statewide under the uniform crime  
21 reporting system of the department of justice, during the most recent 2-year period  
22 for which that information is available.

History: 1995 a. 27, 77; 1997 a. 35; 1999 a. 9; 2005 a. 344; 2013 a. 20.

23 **SECTION 127.** 938.02 (4) of the statutes is amended to read:

1           938.02 (4) “Department” means the department of children and families,  
2 except that with respect to a juvenile who is being held in a juvenile detention facility  
3 or who is under the supervision of the department of corrections under s. 938.183,  
4 938.34 (4h), (4m), or (4n), or 938.357 (4), “department” means the department of  
5 corrections.

History: 1995 a. 77, 216, 352, 448; 1997 a. 27, 35, 181, 191; 1999 a. 9, 162; 2001 a. 16, 59; 2003 a. 33, 284; 2005 a. 232, 344, 387; 2005 a. 443 s. 265; 2007 a. 20 ss. 3780 to 3782, 9121 (6) (a); 2009 a. 28, 94, 302, 334; 2011 a. 32, 258; 2011 a. 260 s. 80; 2013 a. 237.

6           **SECTION 128.** 938.06 (4) of the statutes is amended to read:

7           938.06 (4) STATE AID. State aid to any county for juvenile delinquency–related  
8 court services under this section shall be at the same net effective rate that each  
9 county is reimbursed for county administration under s. 48.569, except as provided  
10 in s. ~~301.26~~ 48.526. Counties having a population of less than 750,000 may use funds  
11 received under ss. 48.569 (1) (d) and ~~301.26~~ 48.526, including county or federal  
12 revenue sharing funds allocated to match funds received under s. 48.569 (1) (d), for  
13 the cost of providing court attached intake services in amounts not to exceed 50  
14 percent of the cost of providing court attached intake services or \$30,000 per county  
15 per calendar year, whichever is less.

History: 1995 a. 77; 1997 a. 27, 205, 239; 2001 a. 61; 2005 a. 344; 2007 a. 20; 2013 a. 20.

16           **SECTION 129.** 938.48 (1) of the statutes is amended to read:

17           938.48 (1) ENFORCEMENT OF LAWS. Promote the enforcement of the laws relating  
18 to delinquent juveniles ~~and juveniles in need of protection or services~~ and take the  
19 initiative in all matters involving the interests of those juveniles when adequate  
20 provision for those matters is not made. This duty shall be discharged in cooperation  
21 with the courts, the department of children and families, county departments,  
22 licensed child welfare agencies, parents, and other individuals interested in the  
23 welfare of juveniles.

History: 1995 a. 77; 1997 a. 27; 2001 a. 38; 2005 a. 344; 2009 a. 28, 233; 2011 a. 258; 2013 a. 20.

SECTION 130

1 SECTION 130. 938.48 (8p) of the statutes is renumbered 48.48 (8r) and amended  
2 to read:

3 48.48 (8r) ~~INDIAN JUVENILE PLACEMENTS. Reimburse~~ To reimburse Indian tribes  
4 and county departments, from the appropriation under s. ~~20.410 (3)~~ 20.437 (1) (kp),  
5 for unexpected or unusually high-cost out-of-home care placements of Indian  
6 juveniles children who have been adjudicated delinquent by tribal courts. In this  
7 subsection, “unusually high-cost out-of-home care placements” means the amount  
8 by which the cost to an Indian tribe or to a county department of out-of-home care  
9 placements of Indian juveniles children who have been adjudicated delinquent by  
10 tribal courts exceeds \$50,000 in a fiscal year.

History: 1995 a. 77; 1997 a. 27; 2001 a. 38; 2005 a. 344; 2009 a. 28, 233; 2011 a. 258; 2013 a. 20.

11 SECTION 9108. **Nonstatutory provisions; Corrections.**

12 (1) create a.r. X TRANSFER OF YOUTH AIDS, COMMUNITY-BASED JUVENILE DELINQUENCY-RELATED  
13 SERVICES, AND SERVICES PROVIDED FOR JUVENILES IN NEED OF PROTECTION OR SERVICES.

14 (a) *Definitions.* In this section:

15 1. “Community-based juvenile delinquency-related services” has the meaning ✓  
16 given in section 49.11 (1c) of the statutes, as created by this act.

17 2. “Youth aids” means community youth and family aids allocated under ✓  
18 section 48.526 of the statutes, as affected by this act.

19 (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
20 liabilities of the department of corrections that are primarily related to the allocation  
21 of youth aids, the supervision of community-based juvenile delinquency-related  
22 services, or the supervision of services provided for juveniles in need of protection or

1 services, as determined by the secretary of administration, shall become the assets  
2 and liabilities of the department of children and families.

3 (c) *Positions and employees.* On the effective date of this paragraph, all  
4 positions and all incumbent employees holding those positions in the department of  
5 corrections performing duties that are primarily related to the allocation of youth  
6 aids, the supervision of community-based juvenile delinquency-related services, or  
7 the supervision of services provided for juveniles in need of protection or services, as  
8 determined by the secretary of administration, are transferred to the department of  
9 children and families.

10 (d) *Employee status.* Employees transferred under paragraph (c) have all the  
11 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
12 statutes in the department of children and families that they enjoyed in the  
13 department of corrections immediately before the transfer. Notwithstanding section  
14 230.28 (4) of the statutes, no employee so transferred who has attained permanent  
15 status in class is required to serve a probationary period.

16 (e) *Tangible personal property.* On the effective date of this paragraph, all  
17 tangible personal property, including records, of the department of corrections that  
18 is primarily related to the allocation of youth aids, the supervision of  
19 community-based juvenile delinquency-related services, or the supervision of  
20 services provided for juveniles in need of protection or services, as determined by the  
21 secretary of administration, is transferred to the department of children and  
22 families.

23 (f) *Pending matters.* Any matter pending with the department of corrections  
24 on the effective date of this paragraph that is primarily related to the allocation of  
25 youth aids, the supervision of community-based juvenile delinquency-related

1 services, or the supervision of services provided for juveniles in need of protection or  
2 services, as determined by the secretary of administration, is transferred to the  
3 department of children and families. All materials submitted to or actions taken by  
4 the department of corrections with respect to the pending matter are considered as  
5 having been submitted to or taken by the department of children and families.

6 (g) *Contracts.* All contracts entered into by the department of corrections in  
7 effect on the effective date of this paragraph that are primarily related to the  
8 allocation of youth aids, the supervision of community-based juvenile  
9 delinquency-related services, or the supervision of services provided for juveniles in  
10 need of protection or services, as determined by the secretary of administration,  
11 remain in effect and are transferred to the department of children and families. The  
12 department of children and families shall carry out any obligations under those  
13 contracts unless modified or rescinded by the department of children and families to  
14 the extent allowed under the contract.

15 (h) *Rules and orders.* All rules promulgated by the department of corrections  
16 in effect on the effective date of this paragraph that are primarily related to the  
17 allocation of youth aids, the supervision of community-based juvenile  
18 delinquency-related services, or the supervision of services provided for juveniles in  
19 need of protection or services, remain in effect until their specified expiration dates  
20 or until amended or repealed by the department of children and families. All orders  
21 issued by the department of corrections in effect on the effective date of this  
22 paragraph that are primarily related to the allocation of youth aids, the supervision  
23 of community-based juvenile delinquency-related services, or the supervision of  
24 services provided for juveniles in need of protection or services, remain in effect until

as determined by the secretary of  
administration ↑



1 their specified expiration dates or until modified or rescinded by the department of  
2 children and families.

3 **SECTION 9408. Effective dates; Corrections.**

(9) (9r)

4 (1) COMMUNITY-BASED JUVENILE DELINQUENCY-RELATED SERVICES. The treatment  
5 of sections 20.410 (3) (cd), (f), (ko), and (kp), 20.437 (1) (kz) and (o), 20.505 (8) (hm)  
6 21d., 46.011 (1), (1c), and (1p), 46.03 (18) (a) and (20) (a), 46.206 (1) (a) and (2), 46.215  
7 (1) (d) and (2) (a) 1., 2., and 3. and (c) 1., 2., and 3., 46.22 (1) (b) 1. b., 2. a., and 5m.  
8 a. and c. and (e) 3. a., b., and c. and (2g) (d), 46.23 (5) (a) 1., 2., and 3., (c) 1., 2., and  
9 3., and (n) 1., 2., and 3., (5m) (c), and (6) (a) (intro.), 48.47 (10), 48.48 (1), (4), and (8p),  
10 48.526 (title) and (1), 48.985 (3), 49.11 (1) and (1c), 49.275, 49.32 (1) (a) and (b), (2)  
11 (b), and (12), 49.325 (1) (a), (2), (2g) (a), (b), and (c), and (2r) (a) 1. and 2., 49.34 (1)  
12 and (2), 49.345 (1), (2), (8) (g), (14) (b) and (e) 1., and (16), 49.35 (1) (a) and (b) and  
13 (2), 49.45 (6m) (br) 1., 227.43 (1) (by), 301.01 (1n), 301.025, 301.03 (10) (a) and (c) (18)  
14 (a), (am), and (b), 301.031 (1) (a), (2), (2g) (a), (b), and (c), and (2r) (a) 1. and 2., 301.032  
15 (title), (1) (a), (b), and (c) and (2), 301.07, 301.08 (2) (a), 301.085 (2), 301.26 (title), (1),  
16 (2), (2m), (3) (title), (a), (c), (dm), (e), and (em), (4) (a), (b), and (bm), and (6) (title), (a),  
17 and (b), 301.263 (title), (1), (2), and (3), 938.02 (4), 938.06 (4), and 938.48 (1) and (8p)  
18 of the statutes, the renumbering and amendment of section 301.26 (7) (intro.) of the  
19 statutes, the renumbering of section ~~48.47 (4) and~~ 301.26 (7) (b), (bm), (c), (e), and (h)  
20 and (8) of the statutes, ~~the creation of section 48.47 (4) (b) of the statutes,~~ and section  
21 9108 (\*) of this act take effect on January 1, 2016.

22

use a.r. X

(END) DNOTE

(a) Also, this draft folds in LRB-0128 so you can go ahead and cancel BB0007.

Katie:  
As it turns out, the substance of BB 0104 and BB 0411, other than the effective dates, are identical. Accordingly you can go ahead and cancel BB 0411 and we can identify this draft as BB 0104 and cancel BB 0104.



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0218/P1  
EHS:kjf:jm

Inserts to -0407

DOA:.....Ley, BB0007 - Youth aid funding levels

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

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

*Analysis by the Legislative Reference Bureau*

**CORRECTIONAL SYSTEM**

**JUVENILE CORRECTIONAL SYSTEM**

Under current law relating to community youth and family aids (generally referred to as "youth aids"), DOC must allocate to counties various state and federal moneys to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. This bill sets the amounts of youth aids that DOC must allocate to counties in the 2015-17 fiscal biennium.

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:***

SECTION 1. 301.26 (7) (intro.) of the statutes is amended to read:

301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of the appropriations under s. 20.410 (3) (cd) and (ko), the department shall allocate

2  
Insert  
3  
43-9  
4



Insert  
43-92

1 funds for community youth and family aids for the period beginning on July 1, 2013  
2 2015, and ending on June 30, 2015 2017, as provided in this subsection to county  
3 departments under ss. 46.215, 46.22, and 46.23 as follows:

Insert  
43-16  
6A

4 **SECTION 2.** 301.26 (7) (a) of the statutes is amended to read:

5 301.26 (7) (a) For community youth and family aids under this section,  
6 amounts not to exceed \$45,478,000 \$45,620,400 for the last 6 months of 2013,  
7 \$90,956,100 2015, \$91,250,800 for 2014 2016, and \$45,478,100 \$45,630,300 for the  
8 first 6 months of 2015 2017.

Insert  
43-16B  
11

9 **SECTION 3.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

10 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall  
11 allocate \$2,000,000 for the last 6 months of 2013 2015, \$4,000,000 for 2014 2016, and  
12 \$2,000,000 for the first 6 months of 2015 2017 to counties based on each of the  
13 following factors weighted equally:

14 **SECTION 4.** 301.26 (7) (bm) of the statutes is amended to read:

Insert  
43-17  
17

15 301.26 (7) (bm) Of the amounts specified in par. (a), the department shall  
16 allocate \$6,250,000 for the last 6 months of 2013 2015, \$12,500,000 for 2014 2016,  
17 and \$6,250,000 for the first 6 months of 2015 2017 to counties based on each county's  
18 proportion of the number of juveniles statewide who are placed in a juvenile  
19 correctional facility during the most recent 3-year period for which that information  
20 is available.

21 **SECTION 5.** 301.26 (7) (c) of the statutes is amended to read:

Insert  
43-18  
23

22 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate  
23 \$1,053,200 for the last 6 months of 2013 2015, \$2,106,500 for 2014 2016, and  
24 \$1,053,300 for the first 6 months of 2015 2017 to counties based on each of the factors  
25 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an



Insert  
43-18

1  
2  
3

allocation under this paragraph that is less than 93% nor more than 115% of the amount that the county would have received under this paragraph if the allocation had been distributed only on the basis of the factor specified in par. (b) 3.

4

**SECTION 6.** 301.26 (7) (e) of the statutes is amended to read:

Insert  
43-19

5  
6  
7  
8  
9

301.26 (7) (e) For emergencies related to community youth and family aids under this section, amounts not to exceed \$125,000 for the last 6 months of 2013 2015, \$250,000 for 2014 2016, and \$125,000 for the first 6 months of 2015 2017. A county is eligible for payments under this paragraph only if it has a population of not more than 45,000.

10

**SECTION 7.** 301.26 (7) (h) of the statutes is amended to read:

11

Insert  
43-20

12  
13  
14  
15  
16  
17  
18  
19  
20

301.26 (7) (h) For counties that are participating in the corrective sanctions program under s. 938.533 (2), \$1,062,400 in the last 6 months of 2013 2015, \$2,124,800 in 2014 2016, and \$1,062,400 in the first 6 months of 2015 2017 for the provision of corrective sanctions services for juveniles from that county. In distributing funds to counties under this paragraph, the department shall determine a county's distribution by dividing the amount allocated under this paragraph by the number of slots authorized for the program under s. 938.533 (2) and multiplying the quotient by the number of slots allocated to that county by agreement between the department and the county. The department may transfer funds among counties as necessary to distribute funds based on the number of slots allocated to each county.

21

**SECTION 8.** 301.26 (8) of the statutes is amended to read:

Insert  
43-21

22  
23

301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last

6/13-21

1 6 months of ~~2013~~ 2015, \$1,333,400 in ~~2014~~ 2016, and \$666,700 in the first 6 months  
2 of ~~2015~~ 2017 for alcohol and other drug abuse treatment programs.

3

(END)

(end of inserts)

Insert 29-2



Section #. 49.345 (14) (g) of the statutes is amended to read:

(↑)

↑ 938.183, ↑ 938.355, or ↑ 938.357

49.345 (14) (g) For purposes of determining child support under par. (b), the department shall promulgate rules related to the application of the standard established by the department under s. 49.22 (9) to a child support obligation for the care and maintenance of a child who is placed by a court order under s. 48.355 ~~or~~ 48.357 in a residential, nonmedical facility. The rules shall take into account the needs of any person, including dependent children other than the child, whom either parent is legally obligated to support.

History: 2007 a. 20 ss. 893, 1507; 2009 a. 28, 218; 2011 a. 260.

← end insert →

Insert 31-161

9

Section #. 301.03 (9) of the statutes is amended to read:

9

301.03 (9) Supervise all persons placed under s. 938.183 in a state prison

History: 1989 a. 31, 107, 121, 188, 336; 1991 a. 39; 1993 a. 16, 377, 479; 1995 a. 27 ss. 6355, 6356m, 6356p, 9126 (19); 1995 a. 77, 141; 1997 a. 27, 35, 237, 275, 283, 284; 1999 a. 9, 32; 2001 a. 16, 109; 2003 a. 321; 2005 a. 344, 431, 434, 451; 2007 a. 1; 2007 a. 20 ss. 3100g, 9121 (6) (a); 2007 a. 96, 97; 2009 a. 28, 100; 2011 a. 32, 38; 2013 a. 196, 334.

all persons placed under s. 938.34 (4h) in the serious juvenile offender program, all persons placed in a juvenile correctional facility or a secured residential treatment center for children and youth under s. 938.34 (4m) or 938.357 (4), and all persons placed on departmental aftercare under s. 938.34 (4n) or 938.357 (4)

9 SECT. RP ; 301.03 (9r)

(end insert)



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

LRB-0407/P1dn  
GMM:cjs:jm

January 20, 2015

Katie:

As it turns out, the substance of BB0104 and BB0411, other than the effective date, are identical. Accordingly you can go ahead and cancel BB0411 and we can identify this draft as BB0104 going forward. Also, this draft folds in LRB-0128, so you can go ahead and cancel BB0007.

Gordon M. Malaise  
Senior Legislative Attorney  
(608) 266-9738  
gordon.malaise@legis.wisconsin.gov



## Malaise, Gordon

---

**From:** Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>  
**Sent:** Monday, January 26, 2015 9:28 PM  
**To:** Malaise, Gordon  
**Cc:** Kraus, Jennifer - DOA; Swissdorf, Kim M - DCF; Nikolay, Robert A - DCF; Major, Katrina L - DOA  
**Subject:** 0407/1

Hi Gordon,

Some questions and requests on the Youth Aids draft:

- 1) In section 10, should the reference to 938.34(4n) specify only sub a? Same in section 50 and section 77 and section 137.
- 2) In section 21, would DOC request that DCF reimburse the counties? I think DCF would make that determination now? Same in section 29?
- 3) In section 42, it references 9r, but I think that is repealed by this draft.
- 4) In section 59, why is there added language?
- 5) Does section 78 need to differentiate between DOC aftercare/corr sanctions and other aftercare/corr sanctions?
- 6) Does section 48.569 need to be changed to reference youth aids in addition to CFA?
- 7) Allocation levels in s 119: first 6: \$45,572,100, mid year: \$91,150,200, last 6: \$45,578,100
- 8) There are a couple places where changes were made by this draft to a section that's repealed by a dif draft, but I assume those will all be handled when you are merging the drafts.
- 9) What does the administrative appeals include in ch 938? Section 55 and 76
- 10) Section 103- DCF doesn't do advance payments anymore, can that be deleted?
- 11) Section 129—thinking this should stay at corrections?
- 12) Section 140-- why children and not juveniles?
- 13) Effective dates-- is section 46.22(1)(b)2c missing from the list?

Thanks and let me know if you have questions/thoughts. Katie