

**2015 DRAFTING REQUEST**

**Bill**

Received: 10/2/2014 Received By: eshea  
Wanted: As time permits Same as LRB:  
For: Administration-Budget 266-2288 By/Representing: Major  
May Contact: Drafter: eshea  
Subject: Public Assistance - Wis works Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email:  
Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov  
pam.kahler@legis.wisconsin.gov  
sbostatlanguage@webapps.wi.gov

---

**Pre Topic:**

DOA:.....Major, BB0108 -

---

**Topic:**

Limit on time in W-2 employment position

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 10/14/2014	kfollett 10/15/2014		_____			
/P1	eshea 10/17/2014		jfrantze 10/15/2014	_____	sbasford 10/15/2014		State
/P2	eshea	kfollett	rschluet	_____	sbasford		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	1/14/2015	10/17/2014	10/17/2014	_____	10/17/2014		
/P3		kfollett 1/14/2015	rschluet 1/14/2015	_____	srose 1/14/2015		State

FE Sent For:

<END>

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/P1	eshea 10/17/2014		jfrantze 10/15/2014	_____	sbasford 10/15/2014		State
/P2		kfollett	rschlue	_____	sbasford		State

1P3kf  
1/14  
1/15

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		10/17/2014	10/17/2014	_____	10/17/2014		

FE Sent For:

<END>

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Subject: **Public Assistance - Wis works** Addl. Drafters:  
Extra Copies:

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**pam.kahler@legis.wisconsin.gov** ✓  
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DOA:.....Major, BB0108 -

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/?	eshea 10/14/2014	kfollett 10/15/2014		_____			
/P1		1P2kf 10/17	jfrantze 10/15/2014	_____	sbasford 10/15/2014		State
FE Sent For:			1P2kf 10/16	_____			

<END>



**2015 DRAFTING REQUEST**

**Bill**

Received: 10/2/2014 Received By: eshea  
Wanted: As time permits Same as LRB:  
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May Contact: Drafter: eshea  
Subject: Public Assistance - Wis works Addl. Drafters:  
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Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov  
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sbostatlanguage@webapps.wi.gov ✓

---

**Pre Topic:**

DOA:.....Major, BB0108 -

---

**Topic:**

Limit on time in W-2 employment position. *FOR*

---

**Instructions:**

See attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea	1P/15F 10/15	1P/15F 10/15	<i>[Signature]</i> 10/15			

FE Sent For:

<END>

## Kahler, Pam

---

**From:** Hanaman, Cathlene  
**Sent:** Thursday, October 02, 2014 1:46 PM  
**To:** Kahler, Pam  
**Subject:** FW: Statutory Language Drafting Request - BB0108  
**Attachments:** Reducing W-2 Lifetime Eligibility Limit to 48 Months.pdf

---

**From:** [katrina.major@wisconsin.gov](mailto:katrina.major@wisconsin.gov) [mailto:[katrina.major@wisconsin.gov](mailto:katrina.major@wisconsin.gov)]  
**Sent:** Thursday, October 02, 2014 1:36 PM  
**To:** Hanaman, Cathlene  
**Cc:** Kraus, Jennifer - DOA; Major, Katrina L - DOA; Connor, Christopher B - DOA  
**Subject:** Statutory Language Drafting Request - BB0108

Biennial Budget: 2015-17

Topic: Reduce W-2 Lifetime Eligibility Limit to 48 Months

Tracking Code: BB0108

SBO Team: GGCF

SBO Analyst: Major, Katrina L - DOA  
Phone: 608-266-2288  
E-mail: [katrina.major@wisconsin.gov](mailto:katrina.major@wisconsin.gov)

Agency Acronym: DCF

Agency Number: 437

Priority: Medium

Intent:

Reduce number of months individual may participate in W-2 employment position or TANF program in another state from a lifetime limit of 60 months to 48 months and adjust the extension language to better match federal law.

Attachments: True

Please send completed drafts to [SBOStatlanguage@webapps.wi.gov](mailto:SBOStatlanguage@webapps.wi.gov)

## Shea, Elisabeth

---

**From:** Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>  
**Sent:** Tuesday, October 14, 2014 8:22 AM  
**To:** Shea, Elisabeth  
**Cc:** Kraus, Jennifer - DOA  
**Subject:** RE: BB0108

Hi Lis, let's go with current for now, but I'll get a decision on it for sure when we brief on it. Thanks!

---

**From:** Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]  
**Sent:** Monday, October 13, 2014 3:50 PM  
**To:** Major, Katrina L - DOA  
**Subject:** BB0108

Hi Katie,

On the budget drafting request related to limiting the amount of time someone can participate in W-2 to 48 months, should this apply to current participants? Or, for example, should it only apply to someone who applies after the effective date?

Lis

**Elisabeth H. Shea**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 266 - 5446  
[elisabeth.shea@legis.wisconsin.gov](mailto:elisabeth.shea@legis.wisconsin.gov)





State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-04177?

EHS: [Handwritten initials]

In 10/14/14

DOA:.....Major, BB0108 - Limit on time in W-2 employment position

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

[Handwritten initials in a circle]

Don't Gen

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

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**WISCONSIN WORKS**

The Wisconsin Works (W-2) program under current law, which is administered by DCF, provides work experience and benefits for low-income custodial parents who are at least 18 years old. Generally, under current law, to be eligible for a W-2 employment position and a job access loan, the total number of months in which an individual or an adult member of the individual's family has participated in or received benefits under certain W-2 programs may not exceed 60 months. A W-2 agency may extend this time limit if the agency determines that unusual circumstances exist that warrant an extension of the participation period.

Under this bill, the time limit on participating in or receiving benefits under these W-2 programs is 48 months, and a W-2 agency may extend this time limit if it determines that the individual is experiencing hardship or that the individual's family includes an individual who has been battered or subjected to extreme cruelty.

For further information see the *state* 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:*

The bill allows

1           **SECTION 1.** 49.145 (2) (n) 1. (intro.) of the statutes is amended to read:

2           49.145 (2) (n) 1. (intro.) Except as provided in subd. 4., beginning on the date  
3           on which the individual has attained the age of 18, the total number of months in  
4           which the individual or any adult member of the individual's Wisconsin works Works  
5           group has participated in, or has received benefits under, any of the following or any  
6           combination of the following does not exceed ~~60~~ 48 months, whether or not  
7           consecutive:

8           History: 1995 a. 289; 1997 a. 27, 191, 237, 283; 1999 a. 9; 2001 a. 16; 2005 a. 25; 2009 a. 28.

8           **SECTION 2.** 49.145 (2) (n) 1. a. of the statutes is amended to read:

9           49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.  
10          49.193, 1997 stats. Active participation on or after October 1, 1996, in the job  
11          opportunities and basic skills program counts toward the ~~60-month~~ 48-month limit.

12          History: 1995 a. 289; 1997 a. 27, 191, 237, 283; 1999 a. 9; 2001 a. 16; 2005 a. 25; 2009 a. 28.

12          **SECTION 3.** 49.145 (2) (n) 3. of the statutes is amended to read:

13          49.145 (2) (n) 3. A Wisconsin works Works agency may extend the time limit  
14          under this paragraph only if the Wisconsin works Works agency determines, in  
15          accordance with rules promulgated by the department, that ~~unusual circumstances~~  
16          ~~exist that warrant an extension of the participation period~~ the individual is  
17          experiencing hardship or that the individual's family includes an individual who has  
18          been battered or subjected to extreme cruelty.

19          History: 1995 a. 289; 1997 a. 27, 191, 237, 283; 1999 a. 9; 2001 a. 16; 2005 a. 25; 2009 a. 28.

(END)

**DEPARTMENT OF CHILDREN AND FAMILIES**  
**2015-17 Biennial Budget**  
**White Paper**

**Issue:** Reducing the Wisconsin Works (W-2) Lifetime Eligibility Limit to 48 Months

**Background**

Both the Federal Temporary Assistance for Needy Families (TANF) law and Wisconsin W-2 statutes include provisions regarding life time eligibility limits. When calculating the number of months used from the lifetime limit, the Federal TANF law counts only months in which cash assistance is received. In contrast, the W-2 statutes count the number of months that an individual has participated in a W-2 employment position, which may include months in which the individual did not receive cash assistance but was placed in subsidized employment.

**Federal TANF Law**

The Federal TANF law, 42 U.S.C. § 608(a)(7), limits TANF assistance to no more than 60 months with certain exceptions. A state may exempt a family from the 60 month time limit by reason of “hardship” or if the family includes an individual who has been battered or subjected to extreme cruelty, as defined under 42.U. S.C. §608(a)(7)(C).

While the Federal TANF Regulation, 45 CFR 264.1, provides additional criteria regarding the length of time that TANF assistance may be provided to a family, the regulation does not provide any further definition for the statutory term “hardship.” Rather, the rule states that “hardship” should be defined by the state.

**State Statutes**

Wisconsin Statutes, s. 49.145(2)(n), limits the number of months an individual may participate in a W-2 employment position to 60 months. In calculating the number of months, the state must include months in which benefits were received while the individual was: 1) participating in Wisconsin’s Job Opportunities and Basic Skills program on or after October 1, 1996; 2) in a W-2 employment position; and 3) in a program in another state funded by the TANF block grant.

The statute gives the W-2 agency the authority to extend the time limit if it is determined, in accordance with administrative rules, that “*unusual circumstances exist that warrant an extension of the participation period.*” The W-2 Administrative Rule, DCF 101.09(2)(n), further defines “*unusual circumstances*” to include when a W-2 participant has significant personal barriers or a family member has needs of such severity that it prevents the W-2 participant from obtaining or retaining unsubsidized employment; or when the local labor market precludes a reasonable job opportunity.

**W-2 Data on Time Limits**

An analysis of the W-2 time limit shows that a majority of W-2 participants never reach 48 months:

- Of the 20,453 participants on the W-2 caseload in August 2014, the average number of months used from their W-2 lifetime limit is 22.
- W-2 Transition participants, who have the most significant barriers to employment, have used an average of 36 months of their lifetime limit.
- Twelve percent of the current W-2 caseload (2,491 cases) has used more than 48 months of their lifetime limit.

### Analysis of Other States' Limits

Time limits vary significantly across states:

- Thirty-six states have a 60-month limit;
- Seven states have a 48-month limit;
- Two states have a 36-month limit;
- Three states have a 24-month limit; and,
- One state has a 21-month limit.

Time limit exemption and extension policies also vary among state TANF programs and include reasons such as:

- Working for a minimum number of weekly hours;
- Cooperating but unable to find employment;
- Personal illness or incapacitation;
- Caring for an ill or incapacitated person;
- Caring for a child under a certain age;
- Pregnancy;
- Minor parent;
- Old age; and
- Victim of domestic violence.

### Proposal

Amend the W-2 statutory provision on time limits to make it more consistent with actual durations of W-2 participation, as demonstrated through historical W-2 data. As noted earlier, the majority of W-2 participants never reach 48 months. The individuals that do use more than 48 months have significant personal barriers that require intensive support and services to mitigate those barriers or who may be determined eligible for Supplemental Security Income or Supplemental Security Disability Insurance.

Include the following statutory amendments under s. 49.145(2)(n):

- Reduce the number of months an individual may participate in a W-2 employment position or a TANF program in another state from a lifetime limit of 60 months to 48 months.
- Remove language giving the W-2 agency the authority to extend the time limit when "*unusual circumstances exist that warrant an extension of the participation period*". Replace this provision with language, similar to the Federal TANF law, giving the Department the authority to extend the time limit by reason of hardship, or if the family includes an individual who has been battered or subjected to extreme cruelty. This would limit extensions to individuals who have significant personal barriers or who have family members with needs of such severity that they prevent the W-2 participant from obtaining or retaining unsubsidized employment.

**Fiscal Implications**

In order to implement the 48-month time limit as described above, the Bureau of Working Families would need a 1.0 FTE position that will review hardship extension requests. In addition, programming changes to the CARES system will be needed to track W-2 time limits.

## Shea, Elisabeth

---

**From:** Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>  
**Sent:** Friday, October 17, 2014 10:25 AM  
**To:** Shea, Elisabeth  
**Subject:** RE: BB0108

Sure, that sounds good, thanks

---

**From:** Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]  
**Sent:** Friday, October 17, 2014 10:21 AM  
**To:** Major, Katrina L - DOA  
**Subject:** RE: BB0108

Hi again,

On further reflection, I should have included an initial applicability provision just to make it clear that it applies to current participants. I will do a P2 and add this, if that's ok.

Lis

---

**From:** Major, Katrina L - DOA [mailto:Katrina.Major@wisconsin.gov]  
**Sent:** Tuesday, October 14, 2014 8:22 AM  
**To:** Shea, Elisabeth  
**Cc:** Kraus, Jennifer - DOA  
**Subject:** RE: BB0108

Hi Lis, let's go with current for now, but I'll get a decision on it for sure when we brief on it. Thanks!

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**To:** Major, Katrina L - DOA  
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**Elisabeth H. Shea**

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Wisconsin Legislative Reference Bureau

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[elisabeth.shea@legis.wisconsin.gov](mailto:elisabeth.shea@legis.wisconsin.gov)



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0417/P1

EHS:kjf:jf

PZ

RMA

In 10/17/14

DOA:.....Major, BB0108 – Limit on time in W-2 employment position

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

Don't Gen

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*Analysis by the Legislative Reference Bureau*  
**HEALTH AND HUMAN SERVICES**

**WISCONSIN WORKS**

The Wisconsin Works (W-2) program under current law, which is administered by DCF, provides work experience and benefits for low-income custodial parents who are at least 18 years old. Generally, under current law, to be eligible for a W-2 employment position and a job access loan, the total number of months in which an individual or an adult member of the individual's family has participated in or received benefits under certain W-2 programs may not exceed 60 months. A W-2 agency may extend this time limit if the agency determines that unusual circumstances exist that warrant an extension of the participation period.

Under this bill, the time limit on participating in or receiving benefits under these W-2 programs is 48 months. The bill allows a W-2 agency to extend this time limit if it determines that the individual is experiencing hardship or that the individual's family includes an individual who has been battered or subjected to extreme cruelty.

For further information see the *state* 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:*





2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0417/Plins  
EHS:kjf:jf

1 INSERT 2-19

2 **SECTION 9306. Initial applicability; Children and Families.**

3 (1) WISCONSIN WORKS BENEFIT TIME LIMIT. The treatment of sections 49.145 (2)  
4 (n) 1. (intro.) and a. and 3. of the statutes first applies to individuals participating  
5 in Wisconsin Works on the effective date of this section.

## Shea, Elisabeth

---

**From:** Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>  
**Sent:** Thursday, January 08, 2015 2:26 PM  
**To:** Shea, Elisabeth  
**Subject:** RE: LRB-0417

This makes sense to me—let me send to DCF and see if they have any concerns. Thanks!

---

**From:** Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]  
**Sent:** Thursday, January 08, 2015 2:21 PM  
**To:** Major, Katrina L - DOA  
**Subject:** LRB-0417

Hi Katie,

I'm thinking something like this:

For an individual participating in Wisconsin Works on the effective date of this subsection, the department of children and families may extend the 48-month time limit under section 49.145 (2) (n) 1. (intro.) and a. and 3. of the statutes to allow the individual an appropriate amount of time to transition out of Wisconsin Works, as determined by the department of children and families.

We actually no longer need an Initial Applicability section because the default is for it to apply to everyone. This would instead go into a Nonstatutory Provision.

Lis

**Elisabeth H. Shea**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 266 - 5446  
[elisabeth.shea@legis.wisconsin.gov](mailto:elisabeth.shea@legis.wisconsin.gov)

## Shea, Elisabeth

---

**From:** Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>  
**Sent:** Wednesday, January 14, 2015 2:18 PM  
**To:** Shea, Elisabeth  
**Cc:** Kraus, Jennifer - DOA  
**Subject:** RE: 48 mo

This looks good...can you just make one more little adjustment? Thanks!

When implementing the 48-month time limit under section... for an individual participating in Wisconsin Works on the effective date of this subsection, the department of children and families may allow the individual to continue to participate in some or all components of Wisconsin Works longer than the 48-month time limit for an appropriate amount of time necessary to transition out of Wisconsin Works, as determined by the department of children and families.

---

**From:** Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]  
**Sent:** Wednesday, January 14, 2015 1:58 PM  
**To:** Major, Katrina L - DOA  
**Subject:** RE: 48 mo

Ok, here's another crack at it – would this work?

When implementing the 48-month time limit under section... for an individual participating in Wisconsin Works on the effective date of this subsection, the department of children and families may allow the individual to continue to participate in Wisconsin Works longer than the 48-month time limit for an appropriate amount of time necessary to transition out of Wisconsin Works, as determined by the department of children and families.

---

**From:** Major, Katrina L - DOA [mailto:Katrina.Major@wisconsin.gov]  
**Sent:** Wednesday, January 14, 2015 1:10 PM  
**To:** Shea, Elisabeth  
**Cc:** Kraus, Jennifer - DOA  
**Subject:** RE: 48 mo

Hi Lis,  
Yes, we are worried about the implication that DCF has to create a process to extend the limit, as opposed to just giving DCF the time they need to review whether the person gets an extension beyond the 48 months and to give some sort of due process notice. The intent is not really to allow them to give any extensions under this provision, but only to let them get those two things done as close to the 48 month limit as possible. What about the language I added in red below or something similar...do you think that would cover our concerns?

Thanks!

k

---

**From:** Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]  
**Sent:** Wednesday, January 14, 2015 1:00 PM  
**To:** Major, Katrina L - DOA  
**Cc:** Kraus, Jennifer - DOA  
**Subject:** RE: 48 mo

Hi Katie,

I'm not sure that this language clearly allows DCF to let someone to stay in W2 longer than 48 months, rather than an appropriate amount of time within the 48-month limit. I think "may extend the 48-month time limit" does that clearly. Is there a reason you'd prefer not to use that phrase?

Lis

---

**From:** Major, Katrina L - DOA [<mailto:Katrina.Major@wisconsin.gov>]

**Sent:** Wednesday, January 14, 2015 12:33 PM

**To:** Shea, Elisabeth

**Cc:** Kraus, Jennifer - DOA

**Subject:** 48 mo

Hi Lis, on 417, could you please just adjust the language slightly...does this work on your end? Thanks!

For an individual participating in Wisconsin Works on the effective date of this subsection, the department of children and families may allow the individual an appropriate amount of time to transition out of Wisconsin Works, as determined by the department of children and families, and which in some cases may exceed 48 months limit, in implementing the 48-month time limit under section...



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0417/P2  
EHS:kjfrs

P3  
RMR

In 1/14/15

DOA:.....Major, BB0108 - Limit on time in W-2 employment position

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

1/16

Don't Gen

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

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**WISCONSIN WORKS**

The Wisconsin Works (W-2) program under current law, which is administered by DCF, provides work experience and benefits for low-income custodial parents who are at least 18 years old. Generally, under current law, to be eligible for a W-2 employment position and a job access loan, the total number of months in which an individual or an adult member of the individual's family has participated in or received benefits under certain W-2 programs may not exceed 60 months. A W-2 agency may extend this time limit if the agency determines that unusual circumstances exist that warrant an extension of the participation period.

Under this bill, the time limit on participating in or receiving benefits under these W-2 programs is 48 months. The bill allows a W-2 agency to extend this time limit if it determines that the individual is experiencing hardship or that the individual's family includes an individual who has been battered or subjected to extreme cruelty.

For further information see the *state* 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.** 49.145 (2) (n) 1. (intro.) of the statutes is amended to read:

2           49.145 (2) (n) 1. (intro.) Except as provided in subd. 4., beginning on the date  
3           on which the individual has attained the age of 18, the total number of months in  
4           which the individual or any adult member of the individual's Wisconsin ~~works~~ Works  
5           group has participated in, or has received benefits under, any of the following or any  
6           combination of the following does not exceed ~~60~~ 48 months, whether or not  
7           consecutive:

8           **SECTION 2.** 49.145 (2) (n) 1. a. of the statutes is amended to read:

9           49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.  
10          49.193, 1997 stats. Active participation on or after October 1, 1996, in the job  
11          opportunities and basic skills program counts toward the ~~60-month~~ 48-month limit.

12          **SECTION 3.** 49.145 (2) (n) 3. of the statutes is amended to read:

13          49.145 (2) (n) 3. A Wisconsin ~~works~~ Works agency may extend the time limit  
14          under this paragraph only if the Wisconsin ~~works~~ Works agency determines, in  
15          accordance with rules promulgated by the department, that ~~unusual circumstances~~  
16          ~~exist that warrant an extension of the participation period~~ the individual is  
17          experiencing hardship or that the individual's family includes an individual who has  
18          been battered or subjected to extreme cruelty.

19          **SECTION 9306. Initial applicability; Children and Families.**

20          (1) WISCONSIN WORKS BENEFIT TIME LIMIT. The treatment of section 49.145 (2)  
21          (n) 1. (intro.) and a. and 3. of the statutes first applies to individuals participating  
22          in Wisconsin Works on the effective date of this subsection.

(END)

MSKRI  
2-23-23

2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0417/P3ins  
EHS:kjf:rs

1           INSERT 2-23

2           **SECTION 9106. Nonstatutory provisions; Children and Families.** ✓

3           (1) WISCONSIN WORKS BENEFIT TIME LIMIT. When implementing the 48-month  
4           time limit under section 49.145 (2) (n) 1. (intro.) and a. and 3. of the statutes, as  
5           affected by this Act, for an individual participating in Wisconsin Works on the  
6           effective date of this subsection, the department of children and families may allow  
7           the individual to continue to participate in some or all components of Wisconsin  
8           Works longer than the 48-month time limit for an appropriate amount of time  
9           necessary to allow the individual to transition out of Wisconsin Works, as determined  
10          by the department of children and families.



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0417/P3

EHS:kjf:rs

DOA:.....Major, BB0108 – Limit on time in W-2 employment position

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

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

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**WISCONSIN WORKS**

The Wisconsin Works (W-2) program under current law, which is administered by DCF, provides work experience and benefits for low-income custodial parents who are at least 18 years old. Generally, under current law, to be eligible for a W-2 employment position and a job access loan, the total number of months in which an individual or an adult member of the individual's family has participated in or received benefits under certain W-2 programs may not exceed 60 months. A W-2 agency may extend this time limit if the agency determines that unusual circumstances exist that warrant an extension of the participation period.

Under this bill, the time limit on participating in or receiving benefits under these W-2 programs is 48 months. The bill allows a W-2 agency to extend this time limit if it determines that the individual is experiencing hardship or that the individual's family includes an individual who has been battered or subjected to extreme cruelty.

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

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



1           **SECTION 1.** 49.145 (2) (n) 1. (intro.) of the statutes is amended to read:

2           49.145 (2) (n) 1. (intro.) Except as provided in subd. 4., beginning on the date  
3 on which the individual has attained the age of 18, the total number of months in  
4 which the individual or any adult member of the individual's Wisconsin works Works  
5 group has participated in, or has received benefits under, any of the following or any  
6 combination of the following does not exceed ~~60~~ 48 months, whether or not  
7 consecutive:

8           **SECTION 2.** 49.145 (2) (n) 1. a. of the statutes is amended to read:

9           49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.  
10 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job  
11 opportunities and basic skills program counts toward the ~~60-month~~ 48-month limit.

12           **SECTION 3.** 49.145 (2) (n) 3. of the statutes is amended to read:

13           49.145 (2) (n) 3. A Wisconsin works Works agency may extend the time limit  
14 under this paragraph only if the Wisconsin works Works agency determines, in  
15 accordance with rules promulgated by the department, that ~~unusual circumstances~~  
16 ~~exist that warrant an extension of the participation period~~ the individual is  
17 experiencing hardship or that the individual's family includes an individual who has  
18 been battered or subjected to extreme cruelty.

19           **SECTION 9106. Nonstatutory provisions; Children and Families.**

20           (1) WISCONSIN WORKS BENEFIT TIME LIMIT. When implementing the 48-month  
21 time limit under section 49.145 (2) (n) 1. (intro.) and a. and 3. of the statutes, as  
22 affected by this act, for an individual participating in Wisconsin Works on the  
23 effective date of this subsection, the department of children and families may allow  
24 the individual to continue to participate in some or all components of Wisconsin  
25 Works longer than the 48-month time limit for an appropriate amount of time

