

**2017 Jr8 DRAFTING REQUEST****Bill**

For: **Administration** Drafter: **tdodge**  
 By: **Kraus** Secondary Drafters: **ewheeler**  
 Date: **1/10/2018**  
 Same as LRB: **-5287** May Contact:

Submit via email: **YES**  
 Requester's email: **jennifer.kraus@doa.state.wi.us**  
 Carbon copy (CC) to: **tamara.dodge@legis.wisconsin.gov**  
**Elizabeth.Wheeler@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Asset limits on Wisconsin Works and Shares, and FoodShare regarding homes and vehicles

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 1/11/2018	eweiss 1/12/2018			
/P1		eweiss 1/12/2018	mbarman 1/12/2018		State
/P2	ewheeler 1/16/2018	eweiss 1/16/2018	lparisi 1/12/2018		State
/P3	tdodge 1/16/2018	anienaja 1/16/2018	dwalker 1/16/2018		State
/P4	tdodge	aernsttr	lparisi		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P5	tdodge 1/17/2018	eweiss 1/17/2018	jdyer 1/17/2018		State
/P6	ewheeler 1/17/2018		dwalker 1/17/2018		State
/1		eweiss 1/17/2018	lparisi 1/17/2018	lparisi 1/17/2018	State

FE Sent For:

at 2  
intro

<END>

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/P1		eweiss 1/12/2018	mbarman 1/12/2018		State
/P2	ewheeler 1/16/2018	eweiss 1/16/2018	lparisi 1/12/2018		State
/P3	tdodge 1/16/2018	anienaja 1/16/2018	dwalker 1/16/2018		State
/P4	tdodge	aernsttr	lparisi		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	1/16/2018	1/17/2018	1/16/2018		
/P5	tdodge 1/17/2018	eweiss 1/17/2018	jdyer 1/17/2018		State
/P6			dwalker 1/17/2018		State

FE Sent For:

<END>

**2017 Jr8 DRAFTING REQUEST**

**Bill**

For: **Administration** Drafter: **tdodge**  
 By: **Kraus** Secondary Drafters: **ewheeler**  
 Date: **1/10/2018**  
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Submit via email: **YES**  
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 Carbon copy (CC) to: **tamara.dodge@legis.wisconsin.gov**  
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**Pre Topic:**

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Asset limits on Wisconsin Works and Shares, Medical Assistance, and FoodShare regarding homes and vehicles

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 1/11/2018	eweiss 1/12/2018			
/P1		eweiss 1/12/2018	mbarman 1/12/2018		State
/P2	ewheeler 1/16/2018	eweiss 1/16/2018	lparisi 1/12/2018		State
/P3	tdodge 1/16/2018	anienaja 1/16/2018	dwalker 1/16/2018		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P4	tdodge 1/16/2018	aernstr 1/17/2018	lparisi 1/16/2018		State
/P5			jdye 1/17/2018		State

FE Sent For:

<END>

## **Wheeler, Elizabeth**

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**From:** Dodge, Tamara  
**Sent:** Thursday, January 11, 2018 9:23 AM  
**To:** Shea, Elisabeth; Wheeler, Elizabeth  
**Subject:** FW: Drafting Request on Asset Limits

**Importance:** High

I will need one of you to do the W2 portion of this request. I will do my portion first and pass it on. This is an ultrarush...as in today or maybe tomorrow at the latest. I'm going to a committee hearing so I may not be able to hand it over until I get back.

Tami

### **Tamara J. Dodge**

Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
tamara.dodge@legis.wisconsin.gov

---

**From:** Hanaman, Cathlene  
**Sent:** Wednesday, January 10, 2018 5:27 PM  
**To:** Dodge, Tamara <Tamara.Dodge@legis.wisconsin.gov>  
**Subject:** FW: Drafting Request on Asset Limits  
**Importance:** High

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Wednesday, January 10, 2018 5:26 PM  
**To:** Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>  
**Cc:** Hurlburt, Waylon R - DOA <WaylonR.Hurlburt@wisconsin.gov>; Grinde, Kirsten - DOA <Kirsten.Grinde@wisconsin.gov>; Dombrowski, Cynthia A - DOA <Cynthia.Dombrowski@wisconsin.gov>; LeRoy, Alyssa - DOA <Alyssa.LeRoy@wisconsin.gov>  
**Subject:** Drafting Request on Asset Limits  
**Importance:** High

Cathlene – can you pls share this request with appropriate drafter(s)? As I mentioned, this is intended for a special session next Thursday.

Thanks much – Jenny

Include asset restrictions for eligibility to W-2, Wisconsin Shares (child care), and, to the extent allowed under federal law, eligibility for non-elderly, blind and disabled MA and Foodshare benefits, such that applicants may only have a primary home worth no more than the median value home for the county in which the applicant lives as determined by the census bureau, and a vehicle worth no more than \$10,000. Allow DHS and DCF to establish emergency rules to govern the implementation of these provisions without the finding of an emergency. The provision would be effective upon approval of the emergency rules.



Jenny Kraus

- Statewide median home value for homes
- be silent about how calculated

↑ limit to \$20k

personal vehicle only, not work vehicles

W-2 → if you want → total equity value of all vehicles

leave W-2 alone for vehicle  
for W-2 - home = upper limit of

Exclude value of Ag. Land for determining the value  
of a home for eligibility





State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-5222?  
TJD&EAW: ...  
emw

Due Fri a.m.  
ASAP

In: III

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

SAV  
XREC  
PWFV

1

**AN ACT** ...; **relating to:** asset restrictions on eligibility for FoodShare, the Medical Assistance program, Wisconsin Works and Wisconsin Shares.

2

**Analysis by the Legislative Reference Bureau**

This bill changes the financial eligibility requirements for Wisconsin Works (W-2) and Wisconsin Shares, the Medical Assistance program, and FoodShare.

Under current law, the Department of Children and Families administers the W-2 program, which provides work experience and benefits for low-income custodial parents who are at least 18 years old. Under current law, an individual is only eligible for W-2 if he or she meets certain eligibility criteria, including that the individual's family may not have more than \$2,500 in liquid assets. Combined equity in vehicles up to \$10,000 and a homestead are excluded from the calculation of liquid assets under current law. This bill specifies that a homestead is excluded from the calculation of liquid assets if it is valued at no more than the statewide median value for homes. In addition, any agricultural land owned by the family is excluded when calculating the value of the homestead under the bill.

Under the current law, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, who needs child care services to participate in various education or work activities, and who satisfies other eligibility criteria may receive a child care subsidy for child care services under Wisconsin Shares. Under current law, an individual is only eligible for Wisconsin Shares if he or she meets certain eligibility criteria, including that the individual's family may not have more than \$25,000 in liquid assets. This bill provides that an individual is not eligible for Wisconsin Shares if his or her family owns more than one home or

to  
the

owns a home that <sup>statewide</sup> is used as the individual's primary residence <sup>and</sup> that is valued at more than the median home value in the state. Any agricultural land owned by the family is excluded when calculating the value of the primary residence under the bill. This <sup>the</sup> bill also specifies that an individual is not eligible for Wisconsin Shares if his or her family owns personal vehicles with a combined equity value of more than \$20,000.

The bill provides a similar asset-related restriction on eligibility for the Medical Assistance program and for FoodShare. FoodShare, also known as the food stamp program and the federal Supplemental Nutrition Assistance Program, and is administered by the Department of Health Services. FoodShare provides benefits to eligible low-income households for the purchase of food. As of July 1, 2018, unless the federal government disapproves, an individual who is not elderly, blind, or disabled and whose household has more than \$25,000 in liquid assets, such as cash or financial resources that can be converted to cash without penalties, is ineligible for FoodShare benefits. DHS currently administers the Medical Assistance program, which is a joint federal and state program that provides health services to individuals who have limited financial resources. Individuals who are not elderly or disabled and who meet certain income criteria in current law are eligible for Medical Assistance benefits through the BadgerCare Plus program. Currently, individuals are not subject to an asset test to be eligible for BadgerCare Plus. This <sup>the</sup> bill, to the extent allowed under federal law, makes an individual who is not elderly or disabled ineligible to participate in FoodShare or BadgerCare Plus in a month in <sup>if</sup> the individual owns more than one home; the individual owns a primary residence that is worth more than the statewide median home value, excluding the value of agricultural land; or the combined equity value of vehicles, except those used for business purposes, owned by the individual is more than \$20,000.

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 (3) (a) of the statutes is amended to read:

2            49.145 (3) (a) *Resource limitations.* The individual is a member of a Wisconsin  
 3 works Works group whose assets do not exceed \$2,500 in combined equity value. In  
 4 determining the combined equity value of assets, the Wisconsin works Works agency  
 5 shall exclude the equity value of vehicles up to a total equity value of \$10,000, and  
 6 one home, valued at no more than the statewide median value for homes, that serves  
 7 as the homestead for the Wisconsin works <sup>Works</sup> group. In calculating the value of the

1 homestead, the Wisconsin Works agency shall exclude the value of agricultural land  
2 owned by the Wisconsin Works group.

History: 1995 a. 289; 1997 a. 27, 191, 237, 283; 1999 a. 9; 2001 a. 16; 2005 a. 25; 2009 a. 28; 2015 a. 55.

Cross-reference: See also ss. DCF 101.09 and 101.24, Wis. adm. code.

3 **SECTION 2.** 49.155 (1m) (cr) of the statutes is created to read:

4 49.155 (1m) (cr) 1. The individual's family owns no more than one home, which  
5 is used as the individual's primary residence, and which is valued at no more than  
6 the statewide median value for homes. In calculating the value of a home under this  
7 subdivision, the value of any agricultural land owned by the individual's family shall  
8 be excluded.

9 2. The individual's family owns vehicles for personal use with a combined  
10 equity value of no more than \$20,000. *The combined equity value of any*  
*that the individual's family owns*

11 **SECTION 3.** 49.79 (1p) of the statutes is created to read:

12 49.79 (1p) ELIGIBILITY; RESTRICTIONS ON CERTAIN ASSETS. (a) In this subsection,  
13 "elderly, blind, or disabled individual" has the meaning given for "elderly or disabled  
14 member" in 7 USC 2012 (j).

15 (b) To the extent allowed under federal law, an individual who is not an elderly,  
16 blind, or disabled individual is ineligible to participate in the food stamp program in  
17 a month in which any of the following applies:

- 18 1. The individual owns more than one home.
- 19 2. The individual owns a primary residence that is worth more than the  
20 statewide median home value. In calculating the home value, the value of any  
21 agricultural land owned by the individual is excluded.

22 3. The combined equity value of vehicles, except those used for business  
23 purposes, owned by the individual is more than \$20,000.

24 **SECTION 4.** 49.471 (6) (L) of the statutes is created to read:

1           49.471 (6) (L) 1. In this paragraph, “elderly” has the meaning given in s. 49.468

2           (1) (a) 2.

3           2. To the extent allowed under federal law, an individual who is not elderly or  
4           disabled is ineligible to participate in BadgerCare Plus in a month in which any of  
5           the following applies:

6           a. The individual owns more than one home.

7           b. The individual owns a primary residence that is worth more than the  
8           statewide median home value. In calculating the home value, the value of any  
9           agricultural land owned by the individual is excluded.

10          c. The combined equity value of vehicles, except those used for business  
11          purposes, owned by the individual is more than \$20,000.

12

(END)



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-5222/P1  
TJD&EAW:emw

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT** *to amend* 49.145 (3) (a); and *to create* 49.155 (1m) (cr), 49.471 (6) (L)  
2             and 49.79 (1p) of the statutes; **relating to:** asset restrictions on eligibility for  
3             FoodShare, the Medical Assistance program, Wisconsin Works, and Wisconsin  
4             Shares.

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This bill changes the financial eligibility requirements for Wisconsin Works (W-2), Wisconsin Shares, the Medical Assistance program, and FoodShare.

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Under current law, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, who needs child care services to participate in various education or work activities, and who satisfies other eligibility criteria may receive a child care subsidy for child care services under Wisconsin Shares. Under current law, an individual is only eligible for Wisconsin Shares if he

or she meets certain eligibility criteria, including that the individual's family may not have more than \$25,000 in liquid assets. The bill provides that an individual is not eligible for Wisconsin Shares if his or her family owns more than one home or owns a home that is used as the individual's primary residence and that is valued at more than the statewide median home value. Any agricultural land owned by the family is excluded when calculating the value of the primary residence under the bill. The bill also specifies that an individual is not eligible for Wisconsin Shares if his or her family owns personal vehicles with a combined equity value of more than \$20,000.

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

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- 4 determining the combined equity value of assets, the Wisconsin ~~works~~ Works agency
- 5 shall exclude the equity value of vehicles up to a total equity value of \$10,000, and

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2 as the homestead for the Wisconsin ~~works~~ Works group. In calculating the value of  
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6 49.155 (1m) (cr) 1. The individual's family owns no more than one home, which  
7 is used as the individual's primary residence, and which is valued at no more than  
8 the statewide median value for homes. In calculating the value of a home under this  
9 subdivision, the value of any agricultural land owned by the individual's family shall  
10 be excluded.

11 2. The combined equity value of any vehicles <sup>except those used for</sup> ~~that~~ <sup>business purposes, owned by</sup> the individual's family ~~owns~~  
12 for personal use is no more than \$20,000.

13 SECTION 3. 49.471 (6) (L) of the statutes is created to read:

14 49.471 (6) (L) 1. In this paragraph, "elderly" has the meaning given in s. 49.468  
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21 statewide median home value. In calculating the home value, the value of any  
22 agricultural land owned by the individual is excluded.

23 c. The combined equity value of vehicles, except those used for business  
24 purposes, owned by the individual is more than \$20,000.

25 SECTION 4. 49.79 (1p) of the statutes is created to read:





## Dodge, Tamara

---

**From:** Dodge, Tamara  
**Sent:** Tuesday, January 16, 2018 12:08 PM  
**To:** Kraus, Jennifer - DOA  
**Subject:** FW: Draft review: LRB -5217/P1

Jenny,

I'm making the change to the asset draft as described below. Since the draft already excludes elderly (65 and older), I am just excluding individuals who have not attained the age of 19.

FYI, on the asset draft and pay for performance drafts, it will be much faster if you send any changes to both Elizabeth and I since we both have parts of those drafts.

Tami

**Tamara J. Dodge**  
Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)

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**From:** Wheeler, Elizabeth  
**Sent:** Tuesday, January 16, 2018 9:52 AM  
**To:** Dodge, Tamara <[Tamara.Dodge@legis.wisconsin.gov](mailto:Tamara.Dodge@legis.wisconsin.gov)>  
**Subject:** FW: Draft review: LRB -5217/P1

I think these would be yours?

**Elizabeth Wheeler**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
Direct: 608-261-4453  
[Elizabeth.wheeler@legis.wisconsin.gov](mailto:Elizabeth.wheeler@legis.wisconsin.gov)

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Tuesday, January 16, 2018 9:13 AM  
**To:** Wheeler, Elizabeth <[Elizabeth.Wheeler@legis.wisconsin.gov](mailto:Elizabeth.Wheeler@legis.wisconsin.gov)>  
**Cc:** LeRoy, Alyssa - DOA <[Alyssa.LeRoy@wisconsin.gov](mailto:Alyssa.LeRoy@wisconsin.gov)>; Dombrowski, Cynthia A - DOA <[Cynthia.Dombrowski@wisconsin.gov](mailto:Cynthia.Dombrowski@wisconsin.gov)>  
**Subject:** RE: Draft review: LRB -5217/P1

Sorry one more change to the asset draft. We want to exclude child only cases in MA and FS so we thought you could say that this applies to non-EBD adults age 19-64. Does that work? Thanks

## **Wheeler, Elizabeth**

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Monday, January 15, 2018 2:12 PM  
**To:** Wheeler, Elizabeth  
**Cc:** LeRoy, Alyssa - DOA; Dombrowski, Cynthia A - DOA  
**Subject:** Re: Draft review: LRB -5217/P1

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello - on the asset draft can you make the following changes:  
- test should 150% of MVH  
- we want to grandfather existing shares recipients.  
Thanks much - Jenny

Sent using OWA for iPhone

---

**From:** Wheeler, Elizabeth A - LEGIS <Elizabeth.Wheeler@legis.wisconsin.gov>  
**Sent:** Monday, January 15, 2018 2:00:16 PM  
**To:** Kraus, Jennifer - DOA  
**Cc:** LeRoy, Alyssa - DOA; Dombrowski, Cynthia A - DOA  
**Subject:** RE: Draft review: LRB -5217/P1

Sure, no problem.

**Elizabeth Wheeler**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
Direct: 608-261-4453  
[Elizabeth.wheeler@legis.wisconsin.gov](mailto:Elizabeth.wheeler@legis.wisconsin.gov)

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Friday, January 12, 2018 5:35 PM  
**To:** Wheeler, Elizabeth <Elizabeth.Wheeler@legis.wisconsin.gov>  
**Cc:** LeRoy, Alyssa - DOA <Alyssa.LeRoy@wisconsin.gov>; Dombrowski, Cynthia A - DOA <Cynthia.Dombrowski@wisconsin.gov>  
**Subject:** FW: Draft review: LRB -5217/P1

Hello – can you pls make the following changes to this draft? Thanks Jenny

1. Remove “all payments under the contract shall be made on the outcome-based performance system under sub(3).” There is some level of base funding needed to ensure service, especially in rural areas. The flexibility to tailor the share of the contracts that is tied to performance has been important in flexing to changes in the economy and caseload size/caseload characteristics.
2. Re-instate “If a Wisconsin works agency does not meet the standards established under this subsection, the department may withhold or recover any or all payment from the Wisconsin Works agency.” This provides us

with explicit authority to call back any and all funds in the event that there is fraud or nonperformance by an agency.

3. Remove "solely" in from 49.143(3)(c). Line 4 on page 3. See concern (1).
4. Remove the added specified days of job retention that must be rewarded in line 13/14, page 3. Under 49.143(3)(a)3, Continue to give agencies flexibility to determine how to execute job retention performance payments, but still require in statute for the agencies to track job retention on a periodic basis at the discretion of the agency.

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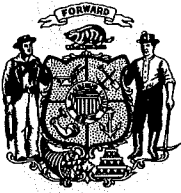
**From:** LRB.Legal [<mailto:lrblegal@legis.wisconsin.gov>]

**Sent:** Thursday, January 11, 2018 8:51 AM

**To:** Kraus, Jennifer - DOA <[Jennifer.Kraus@wisconsin.gov](mailto:Jennifer.Kraus@wisconsin.gov)>

**Subject:** Draft review: LRB -5217/P1

**Following is the PDF version of draft LRB -5217/P1.**



State of Wisconsin  
2017 - 2018 LEGISLATURE

(Jr heading added already)

LRB-5222/P2  
TJD&EAW:emw

P3

In: 1/16

Due Today ASAP

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

INSERT

SA ✓  
Xvec ✓  
PWR ✓

Reyn

1 AN ACT to amend 49.145 (3) (a); and to create 49.155 (1m) (cr), 49.471 (6) (L)  
2 and 49.79 (1p) of the statutes; relating to: asset restrictions on eligibility for  
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\*

150 percent of

Under current law, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, who needs child care services to participate in various education or work activities, and who satisfies other eligibility criteria may receive a child care subsidy for child care services under Wisconsin Shares. Under current law, an individual is only eligible for Wisconsin Shares if he

or she meets certain eligibility criteria, including that the individual's family may not have more than \$25,000 in liquid assets. The bill provides that an individual is not eligible for Wisconsin Shares if his or her family owns more than one home or owns a home that is used as the individual's primary residence and that is valued at more than the statewide median home value. Any agricultural land owned by the family is excluded when calculating the value of the primary residence under the bill. The bill also specifies that an individual is not eligible for Wisconsin Shares if his or her family owns personal vehicles with a combined equity value of more than \$20,000.

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- 1           **SECTION 1.** 49.145 (3) (a) of the statutes is amended to read:
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- 4           determining the combined equity value of assets, the Wisconsin works Works agency
- 5           shall exclude the equity value of vehicles up to a total equity value of \$10,000, and

These restrictions only apply to new applicants under Wisconsin Shares under the bill.

150 percent of

and who is at least 19 years of age

150 percent of

1

one home, valued at no more than the statewide median value for homes, that serves as the homestead for the Wisconsin works Works group. In calculating the value of the homestead, the Wisconsin Works agency shall exclude the value of agricultural land owned by the Wisconsin Works group.

SECTION 2. 49.155 (1m) (cr) of the statutes is created to read:

49.155 (1m) (cr) 1. The individual's family owns no more than one home, which is used as the individual's primary residence, and which is valued at no more than the statewide median value for homes. In calculating the value of a home under this subdivision, the value of any agricultural land owned by the individual's family shall be excluded.

150 percent of

2. The combined equity value of any vehicles, except those used for business purposes, owned by the individual's family is no more than \$20,000.

SECTION 3. 49.471 (6) (L) of the statutes is created to read:

49.471 (6) (L) 1. In this paragraph, "elderly" has the meaning given in s. 49.468 (1) (a) 2. *and who is at least 19 years of age*

2. *To* the extent allowed under federal law, an individual who is not elderly or disabled *is* ineligible to participate in BadgerCare Plus in a month in which any of the following applies:

- a. The individual owns more than one home.
- b. The individual owns a primary residence that is worth more than the statewide median home value. In calculating the home value, the value of any agricultural land owned by the individual is excluded.
- c. The combined equity value of vehicles, except those used for business purposes, owned by the individual is more than \$20,000.

SECTION 4. 49.79 (1p) of the statutes is created to read:



**INS EAW 4-13**

**SECTION 1. Initial applicability.**

(1) WISCONSIN SHARES ELIGIBILITY REQUIREMENTS. The creation of section 49.155<sup>✓</sup>  
(1m)<sup>✓</sup> (cr) of the statutes first applies to a Wisconsin Shares participant who applied<sup>es</sup>  
for the program on or after the effective date of this subsection.<sup>✓</sup>



## Dodge, Tamara

---

**From:** Dodge, Tamara  
**Sent:** Tuesday, January 16, 2018 2:22 PM  
**To:** Kraus, Jennifer - DOA  
**Cc:** Dombrowski, Cynthia A - DOA  
**Subject:** RE: Draft review: LRB -5222/P3

Yes, will do.

Tami

**Tamara J. Dodge**  
Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
tamara.dodge@legis.wisconsin.gov

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Tuesday, January 16, 2018 2:13 PM  
**To:** Dodge, Tamara <Tamara.Dodge@legis.wisconsin.gov>  
**Cc:** Dombrowski, Cynthia A - DOA <Cynthia.Dombrowski@wisconsin.gov>  
**Subject:** FW: Draft review: LRB -5222/P3

Hi again – can you modify this one to use 150% of Median value home for MA and FS as well as child care? Thanks!

---

**From:** LRB.Legal [<mailto:lrblegal@legis.wisconsin.gov>]  
**Sent:** Tuesday, January 16, 2018 2:07 PM  
**To:** Kraus, Jennifer - DOA <[Jennifer.Kraus@wisconsin.gov](mailto:Jennifer.Kraus@wisconsin.gov)>  
**Subject:** Draft review: LRB -5222/P3

**Following is the PDF version of draft LRB -5222/P3.**



State of Wisconsin  
2017 - 2018 LEGISLATURE

January 2018 Special Session

LRB-5222/P3 e P4  
TJD&EAW:emw+amw

In: 1116

Due Today ASAP

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

JA

Regent

1 AN ACT *to amend* 49.145 (3) (a); and *to create* 49.155 (1m) (cr), 49.471 (6) (L)  
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5 the value of agricultural land owned by the Wisconsin Works group.

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10 home under this subdivision, the value of any agricultural land owned by the  
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13 purposes, owned by the individual's family is no more than \$20,000.

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16 (1) (a) 2.

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18 disabled and who is at least 19 years of age is ineligible to participate in BadgerCare  
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24 c. The combined equity value of vehicles, except those used for business  
25 purposes, owned by the individual is more than \$20,000.



## Dodge, Tamara

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Tuesday, January 16, 2018 4:36 PM  
**To:** Dodge, Tamara; Wheeler, Elizabeth  
**Cc:** Dombrowski, Cynthia A - DOA; LeRoy, Alyssa - DOA  
**Subject:** RE: Draft review: LRB -5222/P4

Yes, pls

---

**From:** Dodge, Tami - LEGIS [mailto:[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)]  
**Sent:** Tuesday, January 16, 2018 4:35 PM  
**To:** Kraus, Jennifer - DOA <[Jennifer.Kraus@wisconsin.gov](mailto:Jennifer.Kraus@wisconsin.gov)>; Wheeler, Elizabeth A - LEGIS <[Elizabeth.Wheeler@legis.wisconsin.gov](mailto:Elizabeth.Wheeler@legis.wisconsin.gov)>  
**Cc:** Dombrowski, Cynthia A - DOA <[Cynthia.Dombrowski@wisconsin.gov](mailto:Cynthia.Dombrowski@wisconsin.gov)>; LeRoy, Alyssa - DOA <[Alyssa.LeRoy@wisconsin.gov](mailto:Alyssa.LeRoy@wisconsin.gov)>  
**Subject:** RE: Draft review: LRB -5222/P4

I assume you want the delay to apply to all of the programs. If so, I'll take care of it.

**Tamara J. Dodge**  
Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)

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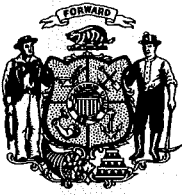
**From:** Kraus, Jennifer - DOA  
**Sent:** Tuesday, January 16, 2018 4:34 PM  
**To:** Dodge, Tamara <[Tamara.Dodge@legis.wisconsin.gov](mailto:Tamara.Dodge@legis.wisconsin.gov)>; Wheeler, Elizabeth <[Elizabeth.Wheeler@legis.wisconsin.gov](mailto:Elizabeth.Wheeler@legis.wisconsin.gov)>  
**Cc:** Dombrowski, Cynthia A - DOA <[Cynthia.Dombrowski@wisconsin.gov](mailto:Cynthia.Dombrowski@wisconsin.gov)>; LeRoy, Alyssa - DOA <[Alyssa.LeRoy@wisconsin.gov](mailto:Alyssa.LeRoy@wisconsin.gov)>  
**Subject:** FW: Draft review: LRB -5222/P4

This looks good – the only change we just discussed is adding a delayed effective date of January 1, 2019 in order to allow the CARES changes to be put in place. Thanks much!

---

**From:** LRB.Legal [mailto:[lrblegal@legis.wisconsin.gov](mailto:lrblegal@legis.wisconsin.gov)]  
**Sent:** Tuesday, January 16, 2018 3:27 PM  
**To:** Kraus, Jennifer - DOA <[Jennifer.Kraus@wisconsin.gov](mailto:Jennifer.Kraus@wisconsin.gov)>  
**Subject:** Draft review: LRB -5222/P4

Following is the PDF version of draft LRB -5222/P4.



State of Wisconsin  
2017 - 2018 LEGISLATURE

January 2018 Special Session

LRB-5222/P4  
TJD&EAW:emw&amn  
ep5  
ahe

In: 1116  
Due Wed 1/17 ASAP

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

Insert

1 **AN ACT to amend** 49.145 (3) (a); and **to create** 49.155 (1m) (cr), 49.471 (6) (L)  
2 and 49.79 (1p) of the statutes; **relating to:** asset restrictions on eligibility for  
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- 4 determining the combined equity value of assets, the Wisconsin works Works agency



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16 (1) (a) 2.

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18 disabled and who is at least 19 years of age is ineligible to participate in BadgerCare  
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22 of the statewide median home value. In calculating the home value, the value of any  
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**2017-2018 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-5222/P5ins  
TJD:...

1           INSERT 4-19

2           **SECTION 1. Effective date.**

3           (1) RESTRICTIONS ON ASSETS } This act takes effect on January 1, 2019.

4           END INSERT 4-19

## Dodge, Tamara

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Wednesday, January 17, 2018 11:18 AM  
**To:** Wheeler, Elizabeth; Dodge, Tamara  
**Cc:** Dombrowski, Cynthia A - DOA; LeRoy, Alyssa - DOA  
**Subject:** Last minute change on asset draft

**Importance:** High

Hello – I just was told that we need to exempt MA from any asset test and to change the MVH for the rest to 200% instead of 150%. Sorry and thank you.

Jenny



State of Wisconsin  
2017 - 2018 LEGISLATURE  
January 2018 Special Session

LRB-5222/P5  
TJD&EAW:emw/amn/ahe

AP6

In: 1117

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

JA ✓  
PWF ✓  
Kef ✓

Regen

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25 purposes, owned by the individual is more than \$20,000.





## Dodge, Tamara

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Wednesday, January 17, 2018 12:39 PM  
**To:** Dodge, Tamara; Wheeler, Elizabeth  
**Cc:** Dombrowski, Cynthia A - DOA; LeRoy, Alyssa - DOA; Hanaman, Cathlene  
**Subject:** RE: Last minute change on asset draft

Unfortunately, they want another change. Can you pls add allowing the departments to develop rules for a hardship exemption. Thanks again.

Jenny

---

**From:** Dodge, Tami - LEGIS [mailto:tamara.dodge@legis.wisconsin.gov]  
**Sent:** Wednesday, January 17, 2018 11:20 AM  
**To:** Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>; Wheeler, Elizabeth A - LEGIS <Elizabeth.Wheeler@legis.wisconsin.gov>  
**Cc:** Dombrowski, Cynthia A - DOA <Cynthia.Dombrowski@wisconsin.gov>; LeRoy, Alyssa - DOA <Alyssa.LeRoy@wisconsin.gov>  
**Subject:** RE: Last minute change on asset draft

Got it. I'll get started.

Tami

**Tamara J. Dodge**  
Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Wednesday, January 17, 2018 11:18 AM  
**To:** Wheeler, Elizabeth <Elizabeth.Wheeler@legis.wisconsin.gov>; Dodge, Tamara <Tamara.Dodge@legis.wisconsin.gov>  
**Cc:** Dombrowski, Cynthia A - DOA <Cynthia.Dombrowski@wisconsin.gov>; LeRoy, Alyssa - DOA <Alyssa.LeRoy@wisconsin.gov>  
**Subject:** Last minute change on asset draft  
**Importance:** High

Hello – I just was told that we need to exempt MA from any asset test and to change the MVH for the rest to 200% instead of 150%. Sorry and thank you.

Jenny

## Wheeler, Elizabeth

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**From:** Kraus, Jennifer - DOA  
**Sent:** Wednesday, January 17, 2018 1:12 PM  
**To:** Wheeler, Elizabeth; Dodge, Tamara  
**Cc:** LeRoy, Alyssa - DOA  
**Subject:** RE: Last minute change on asset draft

Good question. For just the new asset tests( 200% of MVH for W-2, Shares and FS and vehicles for Shares and FS). So not for the \$2500 assets and \$10,000 in vehicles for W-2.

Thanks - Jenny

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**From:** Wheeler, Elizabeth A - LEGIS [mailto:[Elizabeth.Wheeler@legis.wisconsin.gov](mailto:Elizabeth.Wheeler@legis.wisconsin.gov)]  
**Sent:** Wednesday, January 17, 2018 1:05 PM  
**To:** Kraus, Jennifer - DOA <[Jennifer.Kraus@wisconsin.gov](mailto:Jennifer.Kraus@wisconsin.gov)>; Dodge, Tami - LEGIS <[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)>  
**Subject:** RE: Last minute change on asset draft

No problem. For Wisconsin Works, do you want the hardship exemption to get participants out of all 3 resource limitations (\$2500 in assets, \$10,000 for vehicles, and 200% MHV for primary residence), or just the resource limitation added in the bill (200% MHV for primary residence)? I assume that for Shares it would be all the resource limitations created in the bill.

Thanks,

**Elizabeth Wheeler**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
Direct: 608-261-4453  
[Elizabeth.wheeler@legis.wisconsin.gov](mailto:Elizabeth.wheeler@legis.wisconsin.gov)

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**From:** Kraus, Jennifer - DOA  
**Sent:** Wednesday, January 17, 2018 12:39 PM  
**To:** Dodge, Tamara <[Tamara.Dodge@legis.wisconsin.gov](mailto:Tamara.Dodge@legis.wisconsin.gov)>; Wheeler, Elizabeth <[Elizabeth.Wheeler@legis.wisconsin.gov](mailto:Elizabeth.Wheeler@legis.wisconsin.gov)>  
**Cc:** Dombrowski, Cynthia A - DOA <[Cynthia.Dombrowski@wisconsin.gov](mailto:Cynthia.Dombrowski@wisconsin.gov)>; LeRoy, Alyssa - DOA <[Alyssa.LeRoy@wisconsin.gov](mailto:Alyssa.LeRoy@wisconsin.gov)>; Hanaman, Cathlene <[Cathlene.Hanaman@legis.wisconsin.gov](mailto:Cathlene.Hanaman@legis.wisconsin.gov)>  
**Subject:** RE: Last minute change on asset draft

Unfortunately, they want another change. Can you pls add allowing the departments to develop rules for a hardship exemption. Thanks again.

Jenny

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**From:** Dodge, Tami - LEGIS [mailto:[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)]  
**Sent:** Wednesday, January 17, 2018 11:20 AM  
**To:** Kraus, Jennifer - DOA <[Jennifer.Kraus@wisconsin.gov](mailto:Jennifer.Kraus@wisconsin.gov)>; Wheeler, Elizabeth A - LEGIS <[Elizabeth.Wheeler@legis.wisconsin.gov](mailto:Elizabeth.Wheeler@legis.wisconsin.gov)>

**Cc:** Dombrowski, Cynthia A - DOA <[Cynthia.Dombrowski@wisconsin.gov](mailto:Cynthia.Dombrowski@wisconsin.gov)>; LeRoy, Alyssa - DOA <[Alyssa.LeRoy@wisconsin.gov](mailto:Alyssa.LeRoy@wisconsin.gov)>

**Subject:** RE: Last minute change on asset draft

Got it. I'll get started.

Tami

**Tamara J. Dodge**

Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)

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**From:** Kraus, Jennifer - DOA

**Sent:** Wednesday, January 17, 2018 11:18 AM

**To:** Wheeler, Elizabeth <[Elizabeth.Wheeler@legis.wisconsin.gov](mailto:Elizabeth.Wheeler@legis.wisconsin.gov)>; Dodge, Tamara <[Tamara.Dodge@legis.wisconsin.gov](mailto:Tamara.Dodge@legis.wisconsin.gov)>

**Cc:** Dombrowski, Cynthia A - DOA <[Cynthia.Dombrowski@wisconsin.gov](mailto:Cynthia.Dombrowski@wisconsin.gov)>; LeRoy, Alyssa - DOA <[Alyssa.LeRoy@wisconsin.gov](mailto:Alyssa.LeRoy@wisconsin.gov)>

**Subject:** Last minute change on asset draft

**Importance:** High

Hello – I just was told that we need to exempt MA from any asset test and to change the MVH for the rest to 200% instead of 150%. Sorry and thank you.

Jenny



State of Wisconsin  
2017 - 2018 LEGISLATURE

January 2018 Special Session

LRB-5222/P6

TJD&EAW:emw/amn/ahe

Page 1

Now

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Insert

1 AN ACT to amend 49.145 (3) (a); and to create 49.155 (1m) (cr) and 49.79 (1p)  
2 of the statutes; relating to: asset restrictions on eligibility for FoodShare,  
3 Wisconsin Works, and Wisconsin Shares.

and granting rulemaking authority

**Analysis by the Legislative Reference Bureau**

This bill changes the financial eligibility requirements for Wisconsin Works (W-2), Wisconsin Shares, and FoodShare.

Under current law, the Department of Children and Families administers the W-2 program, which provides work experience and benefits for low-income custodial parents who are at least 18 years old. Under current law, an individual is only eligible for W-2 if he or she meets certain eligibility criteria, including that the individual's family may not have more than \$2,500 in liquid assets. Combined equity in vehicles up to \$10,000 and a homestead are excluded from the calculation of liquid assets under current law. The bill specifies that a homestead is excluded from the calculation of liquid assets if it is valued at no more than 200 percent of the statewide median value for homes. In addition, any agricultural land owned by the family is excluded when calculating the value of the homestead under the bill.

Under current law, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, who needs child care services to participate in various education or work activities, and who satisfies other eligibility criteria may receive a child care subsidy for child care services under Wisconsin Shares. Under current law, an individual is only eligible for Wisconsin Shares if he or she meets certain eligibility criteria, including that the individual's family may not have more than \$25,000 in liquid assets. The bill provides that an individual is

Unless the individual has a hardship exemption established by the bill

not eligible for Wisconsin Shares if his or her family owns more than one home or owns a home that is used as the individual's primary residence and that is valued at more than 200 percent of the statewide median home value. Any agricultural land owned by the family is excluded when calculating the value of the primary residence under the bill. The bill also specifies that an individual is not eligible for Wisconsin Shares if his or her family owns personal vehicles with a combined equity value of more than \$20,000. These restrictions only apply to new applicants under Wisconsin Shares under the bill.

The bill provides a similar asset-related restriction on eligibility for FoodShare. FoodShare, also known as the food stamp program and the federal Supplemental Nutrition Assistance Program, is administered by the Department of Health Services. FoodShare provides benefits to eligible low-income households for the purchase of food. As of July 1, 2018, unless the federal government disapproves, an individual who is not elderly, blind, or disabled and whose household has more than \$25,000 in liquid assets, such as cash or financial resources that can be converted to cash without penalties, is ineligible for FoodShare benefits. The bill, to the extent allowed under federal law, makes an individual who is not elderly or disabled and who is at least 19 years of age ineligible to participate in FoodShare in a month if the individual owns more than one home; the individual owns a primary residence that is worth more than 200 percent of the statewide median home value, excluding the value of agricultural land; or the combined equity value of vehicles, except those used for business purposes, owned by the individual is more than \$20,000.

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

Insert  
A  
as new §

The asset restriction does not apply to an individual who has a hardship exemption, i.e. DHS promulgates rules regarding a hardship exemption.

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

1 SECTION 1. 49.145 (3) (a) of the statutes is amended to read:

2 49.145 (3) (a) *Resource limitations.* The individual is a member of a Wisconsin  
3 works Works group whose assets do not exceed \$2,500 in combined equity value. In  
4 determining the combined equity value of assets, the Wisconsin works Works agency  
5 shall exclude the equity value of vehicles up to a total equity value of \$10,000, and  
6 one home, valued at no more than 200 percent of the statewide median value for  
7 homes, that serves as the homestead for the Wisconsin works Works group. In

except as provided under par. (c) in

*(Intro) Except as provided under sub. (2m),  
the individual's family meets all of the following  
asset restrictions:*

1 calculating the value of the homestead, the Wisconsin Works agency shall exclude  
2 the value of agricultural land owned by the Wisconsin Works group.

3 **SECTION 2.** 49.155 (1m) (cr) of the statutes is created to read:

4 49.155 (1m) (cr) 1. The individual's family owns no more than one home, which  
5 is used as the individual's primary residence, and which is valued at no more than  
6 200 percent of the statewide median value for homes. In calculating the value of a  
7 home under this subdivision, the value of any agricultural land owned by the  
8 individual's family shall be excluded.

9 2. The combined equity value of any vehicles, except those used for business  
10 purposes, owned by the individual's family is no more than \$20,000.

11 **SECTION 3.** 49.79 (1p) of the statutes is created to read:

12 49.79 (1p) ELIGIBILITY; RESTRICTIONS ON CERTAIN ASSETS. (a) In this subsection,  
13 "elderly, blind, or disabled individual" has the meaning given for "elderly or disabled  
14 member" in 7 USC 2012 (j).

15 (b) To the extent allowed under federal law, an individual who is not an elderly,  
16 blind, or disabled individual and who is at least 19 years of age is ineligible to  
17 participate in the food stamp program in a month in which any of the following  
18 applies:

19 1. The individual owns more than one home.

20 2. The individual owns a primary residence that is worth more than 200 percent  
21 of the statewide median home value. In calculating the home value, the value of any  
22 agricultural land owned by the individual is excluded.

23 3. The combined equity value of vehicles, except those used for business  
24 purposes, owned by the individual is more than \$20,000.

25 **SECTION 4. Initial applicability.**

*(c) If the department promulgates a rule establishing a  
hardship exemption, par. (b) does not apply to  
an individual who meets the criteria for a hardship exemption.*

*INS  
3-3*

*INS  
3-11*



INS - A

<sup>e the</sup> This bill grants DCF the authority to promulgate <sup>a rule of the rule</sup> rules to establish a hardship exemption for the asset limitations <sup>keep</sup> for W-2 and Wisconsin shares. Under the bill, if an individual qualifies for a hardship limitation under <sup>to</sup> rules promulgated by DCF, the asset limitations established under <sup>the</sup> this bill do not apply to that individual.

INS 3-3

SECTION 1. 49.145 (3) (c) of the statutes is created to read:

49.145 (3) (c) *Hardship exemptions*. The department may promulgate <sup>a rule</sup> rules that establish <sup>es</sup> a hardship exemption for the resource limitation under par. (a). If the individual qualifies for a hardship exemption under the department's <sup>rule</sup> rules, the

\* Wisconsin Works agency shall exclude the equity value of vehicles up to a total equity <sup>of</sup> value of \$10,000 and one home, valued at any amount, that serves as the homestead for the Wisconsin Works group in determining whether the Wisconsin Works group's combined equity value of assets exceed <sup>s</sup> \$2,500.

INS 3-11 <sup>(CS)</sup> Hardship exemption (2m)

SECTION 2. 49.155 (1m) (e) of the statutes is created to read:

<sup>(B)</sup> <sup>(2m)</sup> 49.155 (1m) (e) The department may promulgate <sup>a rule</sup> rules that establish <sup>es</sup> a hardship exemption for the asset restrictions under <sup>sub. (1m)</sup> par. (cr). If the individual qualifies for a hardship exemption under the department's rules, the asset restrictions under <sup>sub. (1m)</sup> par. (cr) do not apply to the individual.

All pars under (1m) need to be eligibility conditions. could create hardship exemption as new sub (1r)? and then add to (1m) (intro.) a ref to (1r) in the "subject to sub. (2)" in last sentence.