

**2019 DRAFTING REQUEST**

**Bill**

For: **Administration-Budget 266-1103** Drafter: **eshea**  
 By: **Rice** Secondary Drafters:  
 Date: **1/9/2019** May Contact:

Same as LRB:

Submit via email: **YES**  
 Requester's email:  
 Carbon copy (CC) to: **doasbostatlanguage@wisconsin.gov**  
**elisabeth.shea@legis.wisconsin.gov**  
**Elizabeth.wheeler@legis.wisconsin.gov**

**Pre Topic:**

DOA:.....Rice, BB0179 -

**Topic:**

Drug screening and testing for eligibility for certain training, work experience, and W-2 programs

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 1/21/2019	anienaja 1/24/2019			
/P1	eshea 2/21/2019	ccarmich 2/21/2019	lparisi 1/24/2019		State
/P2			dwalker 2/21/2019		State

FE Sent For: **<END>**

**Shea, Elisabeth**

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**From:** Wheeler, Elizabeth  
**Sent:** Wednesday, January 09, 2019 8:22 AM  
**To:** Shea, Elisabeth  
**Subject:** FW: Statutory Language Drafting Request - 2019-21

For the request you just said you'd do.

**Elizabeth Wheeler**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
Direct: 608-504-5880  
[Elizabeth.wheeler@legis.wisconsin.gov](mailto:Elizabeth.wheeler@legis.wisconsin.gov)

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**From:** Rice, Olivia A - DOA <[OliviaA.Rice@wisconsin.gov](mailto:OliviaA.Rice@wisconsin.gov)>  
**Sent:** Tuesday, January 08, 2019 4:27 PM  
**To:** Wheeler, Elizabeth <[Elizabeth.Wheeler@legis.wisconsin.gov](mailto:Elizabeth.Wheeler@legis.wisconsin.gov)>  
**Subject:** Statutory Language Drafting Request - 2019-21

Hello Elizabeth,

After I sent this draft request in, I made an edit to the intent description, however, I'm not sure if that description was then updated to you.

Edited to read: "Remove substance abuse screening, testing and treatment as an eligibility requirement for W-2 , as described in 49.162. "

Thank You,



**Olivia Rice** | Executive Policy and Budget Analyst  
Department of Administration  
Division of Executive Budget and Finance  
[OliviaA.Rice@wisconsin.gov](mailto:OliviaA.Rice@wisconsin.gov)  
Phone: 608-266-5468

**From:** [oliviaA.Rice@wisconsin.gov](mailto:oliviaA.Rice@wisconsin.gov) <[oliviaA.Rice@wisconsin.gov](mailto:oliviaA.Rice@wisconsin.gov)>  
**Sent:** Tuesday, January 08, 2019 2:35 PM  
**To:** Hanaman, Cathlene M - LEGIS <[Cathlene.Hanaman@legis.wisconsin.gov](mailto:Cathlene.Hanaman@legis.wisconsin.gov)>  
**Cc:** Kraus, Jennifer - DOA <[Jennifer.Kraus@wisconsin.gov](mailto:Jennifer.Kraus@wisconsin.gov)>; Rice, Olivia A - DOA <[OliviaA.Rice@wisconsin.gov](mailto:OliviaA.Rice@wisconsin.gov)>  
**Subject:** Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Drug screening and testing for W-2 eligibility

Tracking Code: BB0179

SBO Team: GGCF

SBO Analyst: Rice, Olivia

Phone: 608-266-5468

E-mail: [oliviaA.Rice@wisconsin.gov](mailto:oliviaA.Rice@wisconsin.gov)

Agency Acronym: 437

Agency Number: 437

Priority: Medium

Intent:

Remove substance abuse screening, testing and treatment as an eligibility requirement for W-2 employment positions.

Attachments: False

Please send completed drafts to [SBOSatlanguage@spsmail.enterprise.wistate.us](mailto:SBOSatlanguage@spsmail.enterprise.wistate.us)



DOA:.....Rice, BB0179 - Drug screening and testing for W2 eligibility

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

SA:  
xref:  
Pwf:

In 1/21  
Due 1/24

No gen.

1 **AN ACT ...; relating to: (???) the budget.**

**Analysis by the Legislative Reference Bureau**

**HEALTH AND HUMAN SERVICES**

all of the following: 1) PUBLIC ASSISTANCE 2)

are

This bill eliminates provisions under current law stating that, with certain exceptions, controlled substance abuse screening and, in some cases, testing and treatment is required of individuals who apply to participate in certain work experience programs administered by DCF and DWD, of noncustodial parents who apply for Wisconsin Works (W-2), administered by DCF, and, with respect to the W-2 program, of every adult member of an individual's W-2 group whose income or assets are included in determining the individual's eligibility for a W-2 program.

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:**

2 **SECTION 1.** 49.162 of the statutes is repealed.

move to 2-7

3 **SECTION 2.** 20.437 (2) (em) of the statutes is repealed.

1           **SECTION 3.** 49.159 (1) (a) (intro.) of the statutes is amended to read:

2           ~~49.159 (1) (a)~~ (intro.) An individual who would be eligible under s. 49.145  
3 except that the individual is the noncustodial parent of a dependent child is eligible  
4 for services and benefits under par. (b) if the individual is subject to a child support  
5 order, ~~the individual satisfies all of the requirements related to substance abuse~~  
6 ~~screening, testing, and treatment under s. 49.162 that apply to the individual, and~~  
7 any of the following applies to the custodial parent of the dependent child:

**History:** 1995 a. 289; 1997 a. 27; 2009 a. 28; 2011 a. 32; 2013 a. 20; 2015 a. 55; 2017 a. 365 s. 111.

8           **SECTION 4.** 49.163 (2) (am) 7. of the statutes is repealed.

9           **SECTION 5.** 49.36 (3) (a) of the statutes is amended to read:

10           ~~49.36 (3) (a)~~ Except as provided in par. (f) and ~~subject to sub. (3m)~~, a person  
11 ordered to register under s. 767.55 (2) (am) shall participate in a work experience  
12 program if services are available.

**History:** 1987 a. 413; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2135 to 2142; 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2005 a. 25; 2005 a. 443 s. 265; 2007 a. 20; 2013 a. 20; 2015 a. 55.

13           **SECTION 6.** 49.36 (3m) of the statutes is repealed.

14           **SECTION 7.** 49.791 (4) (f) (intro.) of the statutes is amended to read:

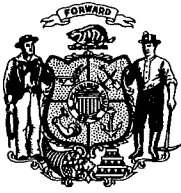
15           ~~49.791 (4) (f)~~ *Accepting test results from other programs.* (intro.) For purposes  
16 of this section, an administering agency may use results of a drug test performed by  
17 the administering agency for the purpose of eligibility for another state program,  
18 including a work experience program under s. 49.162, 49.36, or 108.133, performed  
19 at the request of the department of corrections, or performed by other drug testing  
20 providers as approved by the department to determine whether to refer an  
21 able-bodied adult to treatment if all of the following apply:

**History:** 2017 a. 370.

22           **SECTION 8.** 106.38 (4) (a) 5. of the statutes is repealed.

23

(END)



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1288/P1  
EHS:amn

DOA:.....Rice, BB0179 - Drug screening and testing for eligibility for certain training, work experience, and W-2 programs

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

D-NOTE

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

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**PUBLIC ASSISTANCE**

This bill eliminates provisions under current law that, with certain exceptions, controlled substance abuse screening and, in some cases, testing and treatment are required of all of the following: 1) individuals who apply to participate in certain work experience programs administered by DCF and DWD; 2) noncustodial parents who apply for Wisconsin Works (W-2), administered by DCF; and 3) with respect to the W-2 program, every adult member of an individual's W-2 group whose income or assets are included in determining the individual's eligibility for a W-2 program.

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

LRB-1288/P2dn

EHS:amp

cdc

[date]

This draft reconciles LRB-1288, LRB-1731 and LRB-1774. All of these drafts should continue to appear in the compiled bill.

Elisabeth Shea  
Senior Legislative Attorney  
(608) 504-5885  
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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1288/P2dn  
EHS:cdc

February 21, 2019

This draft reconciles LRB-1288, LRB-1731 and LRB-1774. All of these drafts should continue to appear in the compiled bill.

Elisabeth Shea  
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State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1288/P2  
EHS:amn&cde

DOA:.....Rice, BB0179 - Drug screening and testing for eligibility for certain training, work experience, and W-2 programs

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

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