

**2019 DRAFTING REQUEST**

**Bill**

For: **Administration-Budget 266-2288** Drafter: **eshea**  
 By: **Bork** Secondary Drafters:  
 Date: **2/15/2019** 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:.....Bork, BB0386 -

**Topic:**

Community youth and family aids; funding for 17-year-old juveniles and SRCCCYs

**Instructions:**

See attached

**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u>        | <u>Reviewed</u>       | <u>Submitted</u>     | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|-----------------------|----------------------|-----------------|-----------------|
| /?           | eshea<br>2/15/2019    | kfollett<br>2/15/2019 |                      |                 |                 |
| /P1          | chanaman<br>2/17/2019 | kfollett<br>2/18/2019 | jmurphy<br>2/15/2019 |                 | State<br>S&L    |
| /P2          | eshea<br>2/19/2019    | kfollett<br>2/19/2019 | dwalker<br>2/18/2019 |                 | State<br>S&L    |
| /P3          | eshea<br>2/19/2019    | kfollett<br>2/19/2019 | mbarman<br>2/19/2019 |                 | State<br>S&L    |

| <u>Vers.</u> | <u>Drafted</u>     | <u>Reviewed</u>       | <u>Submitted</u>     | <u>Jacketed</u> | <u>Required</u> |
|--------------|--------------------|-----------------------|----------------------|-----------------|-----------------|
| /P4          | eshea<br>2/19/2019 | kfollett<br>2/19/2019 | jmurphy<br>2/19/2019 |                 | State<br>S&L    |
| /P5          | eshea<br>2/20/2019 | kfollett<br>2/20/2019 | lparisi<br>2/19/2019 |                 | State<br>S&L    |
| /P6          | eshea<br>2/20/2019 | csicilia<br>2/20/2019 | mbarman<br>2/20/2019 |                 | State<br>S&L    |
| /P7          | eshea<br>2/20/2019 | kmochal<br>2/20/2019  | lparisi<br>2/20/2019 |                 | State<br>S&L    |
| /P8          |                    |                       | jmurphy<br>2/20/2019 |                 | State<br>S&L    |

FE Sent For:

<END>

**Shea, Elisabeth**

---

**From:** Hanaman, Cathlene  
**Sent:** Friday, February 15, 2019 8:31 AM  
**To:** Shea, Elisabeth; Wheeler, Elizabeth  
**Subject:** FW: Statutory Language Drafting Request - 2019-21

**From:** Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>  
**Sent:** Thursday, February 14, 2019 6:40 PM  
**To:** Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>  
**Cc:** Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>; Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>  
**Subject:** Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Nonstatutory provision for youth aids

Tracking Code: BB0386

SBO Team: GGCF

SBO Analyst: Bork, Matthew  
Phone: 608-266-2288  
E-mail: [Matthew.Bork@wisconsin.gov](mailto:Matthew.Bork@wisconsin.gov)

Agency Acronym: 437

Agency Number: 437

Priority: High

Intent:

LRB-1701/P1 increases the juvenile court jurisdiction from age 16 to age 17. Please create a nonstatutory provision that does the following. Notwithstanding s. 48.526, s. 301.26 and s. 938.06, allocates \$5,000,000 to DCF community youth and family aids to accommodate the increase of juvenile offenders requiring services. Allocates these funds for the first six months of calendar year 2021. Directs DCF to work with representatives of the counties to determine how to allocate these funds.

*Double draft - July 1 2021 repeal*

Attachments: False

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



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2064/2  
EHS:...

Handwritten initials: JPH, EHS, and a signature.

DOA:.....Bork, BB0386 - Allocation for <sup>of</sup> community youth and family aids for 17-year-old juvenile offenders

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

in 2/15

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

*Analysis by the Legislative Reference Bureau*

**CORRECTIONAL SYSTEM**

**JUVENILE CORRECTION SYSTEM**

1. **Community youth and family aids for 17-year-olds**

Under current law relating to community youth and family aids, generally referred to as "youth aids," DCF is required to 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 requires DCF, between January 1 and June 30, 2021, to allocate \$5,000,000 of these moneys to counties for these purposes only for juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17. The bill requires DCF to consult with county representatives to determine how to allocate this amount among counties.

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.** 20.437 (1) (cj) of the statutes is amended to read:

2           20.437 (1) (cj) *Community youth and family aids.* The amounts in the schedule  
3 for the improvement and provision of community-based juvenile  
4 delinquency-related services under s. 48.526 and juvenile correctional services  
5 under s. 301.26, for the purposes under SECTION 9106 (1) of 2019 Wisconsin Act ...  
6 (this act), and for reimbursement to counties having a population of less than  
7 750,000 for the cost of court attached intake services as provided in s. 938.06 (4).  
8 Disbursements may be made from this appropriation account under s. 49.32 (2).  
9 Refunds received relating to payments made under s. 49.32 (2) shall be returned to  
10 this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
11 department of children and families may transfer moneys under this paragraph  
12 between fiscal years. Except for moneys authorized for transfer under s. 48.526 (3),  
13 all moneys from this paragraph allocated under s. 48.526 (3) and not spent or  
14 encumbered by counties by December 31 of each year shall lapse into the general  
15 fund on the succeeding January 1. The joint committee on finance may transfer  
16 additional moneys to the next calendar year.

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; 2015 a. 55 ss. 660, 662, 665, 720 to 723n, 811, 812; 2015 a. 128, 172; 2017 a. 59, 185, 260, 261; s. 35.17 correction in (1) (kz).

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

17           **SECTION 2.** 20.437 (1) (cj) of the statutes, as affected by 2019 Wisconsin Act ...

18 (this act), is amended to read:

19           20.437 (1) (cj) *Community youth and family aids.* The amounts in the schedule  
20 for the improvement and provision of community-based juvenile  
21 delinquency-related services under s. 48.526 and juvenile correctional services  
22 under s. 301.26, for the purposes under SECTION 9106 (1) of 2019 Wisconsin Act ...

1 (~~this act~~), and for reimbursement to counties having a population of less than  
2 750,000 for the cost of court attached intake services as provided in s. 938.06 (4).  
3 Disbursements may be made from this appropriation account under s. 49.32 (2).  
4 Refunds received relating to payments made under s. 49.32 (2) shall be returned to  
5 this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
6 department of children and families may transfer moneys under this paragraph  
7 between fiscal years. Except for moneys authorized for transfer under s. 48.526 (3),  
8 all moneys from this paragraph allocated under s. 48.526 (3) and not spent or  
9 encumbered by counties by December 31 of each year shall lapse into the general  
10 fund on the succeeding January 1. The joint committee on finance may transfer  
11 additional moneys to the next calendar year.

**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; 2015 a. 55 ss. 660, 662, 665, 720 to 723n, 811, 812; 2015 a. 128, 172; 2017 a. 59, 185, 260, 261; s. 35.17 correction in (1) (kz).

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

13 (1) COMMUNITY YOUTH AND FAMILY AIDS FOR 17-YEAR-OLDS. Notwithstanding s.  
14 48.526, between January 1, <sup>2021</sup> and June 30, 2021, the department of children and  
15 families shall allocate \$5,000,000 from the appropriation under s. 20.437 (1) (c) to  
16 counties to be used for the purposes under s. 48.526 (2) (c) only for juveniles who were  
17 alleged to have violated a state or federal criminal law or any civil law or municipal  
18 ordinance at age 17 or who were adjudicated delinquent at age 17. The department  
19 of children and families shall consult with county representatives to determine how  
20 to allocate this amount among counties.

21 **SECTION 9406. Effective dates; Children and Families.**





State of Wisconsin  
2019 - 2020 LEGISLATURE

PL  
LRB-2064/P1  
EHS:kjf

DOA:.....Bork, BB0386 - Allocation of community youth and family aids for  
17-year-old juvenile offenders

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

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

---

*Analysis by the Legislative Reference Bureau*

**CORRECTIONAL SYSTEM**

**JUVENILE CORRECTION SYSTEM**

**1. Community youth and family aids for 17-year-olds**

Under current law relating to community youth and family aids, generally referred to as "youth aids," DCF is required to 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 requires DCF, between January 1, 2021, and June 30, 2021, to allocate \$5,000,000 of these moneys to counties for these purposes only for juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17. The bill requires DCF to consult with county representatives to determine how to allocate this amount among counties.

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.** 20.437 (1) (cj) of the statutes is amended to read:

2           20.437 (1) (cj) *Community youth and family aids.* The amounts in the schedule  
3 for the improvement and provision of community-based juvenile  
4 delinquency-related services under s. 48.526 and juvenile correctional services  
5 under s. 301.26, for the purposes under SECTION 9106 (1) of 2019 Wisconsin Act ....  
6 (this act), and for reimbursement to counties having a population of less than  
7 750,000 for the cost of court attached intake services as provided in s. 938.06 (4).  
8 Disbursements may be made from this appropriation account under s. 49.32 (2).  
9 Refunds received relating to payments made under s. 49.32 (2) shall be returned to  
10 this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
11 department of children and families may transfer moneys under this paragraph  
12 between fiscal years. Except for moneys authorized for transfer under s. 48.526 (3),  
13 all moneys from this paragraph allocated under s. 48.526 (3) and not spent or  
14 encumbered by counties by December 31 of each year shall lapse into the general  
15 fund on the succeeding January 1. The joint committee on finance may transfer  
16 additional moneys to the next calendar year.

17           **SECTION 2.** 20.437 (1) (cj) of the statutes, as affected by 2019 Wisconsin Act ....

18 (this act), is amended to read:

19           20.437 (1) (cj) *Community youth and family aids.* The amounts in the schedule  
20 for the improvement and provision of community-based juvenile  
21 delinquency-related services under s. 48.526 and juvenile correctional services  
22 under s. 301.26, ~~for the purposes under SECTION 9106 (1) of 2019 Wisconsin Act ....~~  
23 ~~(this act)~~, and for reimbursement to counties having a population of less than  
24 750,000 for the cost of court attached intake services as provided in s. 938.06 (4).  
25 Disbursements may be made from this appropriation account under s. 49.32 (2).

1 Refunds received relating to payments made under s. 49.32 (2) shall be returned to  
2 this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
3 department of children and families may transfer moneys under this paragraph  
4 between fiscal years. Except for moneys authorized for transfer under s. 48.526 (3),  
5 all moneys from this paragraph allocated under s. 48.526 (3) and not spent or  
6 encumbered by counties by December 31 of each year shall lapse into the general  
7 fund on the succeeding January 1. The joint committee on finance may transfer  
8 additional moneys to the next calendar year.

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

10 (1) COMMUNITY YOUTH AND FAMILY AIDS FOR 17-YEAR-OLDS. Notwithstanding s.  
11 48.526, between January 1, 2021, and June 30, 2021, the department of children and  
12 families shall allocate \$5,000,000 from the appropriation under s. 20.437 (1) (cj) to  
13 counties to be used for the purposes under s. 48.526 (2) (c) only for juveniles who were  
14 alleged to have violated a state or federal criminal law or any civil law or municipal  
15 ordinance at age 17 or who were adjudicated delinquent at age 17. The department  
16 of children and families shall consult with county representatives to determine how  
17 to allocate this amount among counties.

18 **SECTION 9406. Effective dates; Children and Families.**

19 (1) COMMUNITY YOUTH AND FAMILY AIDS FOR 17-YEAR-OLDS. The treatment of s.  
20 20.437 (1) (cj) (by SECTION 2) of this act takes effect on July 1, 2021.

21 (END)

206 2288

**Shea, Elisabeth**

---

**From:** Bork, Matthew - DOA  
**Sent:** Monday, February 18, 2019 6:07 PM  
**To:** Shea, Elisabeth  
**Cc:** Kraus, Jennifer - DOA  
**Subject:** RE: Draft Changes

Hi Lis,

I now have new changes for draft 19-2064/P2. I will list them below for your reference, but please call me when you have time so we can go over 19-2064/P2 and 19-0699/P1 just to make sure we are on the same page.

Thanks,  
Matt

I would like the draft 19-2064/P3 to include

- Creating a sum sufficient appropriation for administering youth aids for 17-year-olds and costs for starting secured residential care centers.
- Updating the years in 48.526(7) and (8) for the 2019-21 biennium.
- Revising the current nonstatutory provision such that:
  - o The \$5,000,000 are allocated to the sum sufficient appropriation
  - o The funds are used for the purposes under s. 48.526 (2) (c) and any other necessary statutes "only for **the reimbursement of eligible expenses associated with** juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17, **or for counties starting secured or joint secured residential care centers.**"
  - o Specify that the department shall consult with county representatives to evaluate modifications to youth aids formula as well as determine eligible expenses relating to the 17-year-olds and start up costs for secured RCCs.

---

**From:** Bork, Matthew - DOA  
**Sent:** Monday, February 18, 2019 3:17 PM  
**To:** Shea, Lis - LEGIS <elisabeth.shea@legis.wisconsin.gov>  
**Subject:** RE: Draft Changes

Hi Lis,

Sorry, I have one more adjustment to 19-0699/P1. Can you please revise this draft so that appropriation is 20.437 (1) (a) is referenced, not 20.437 (1) (bc)?

Thanks,  
Matt

---

**From:** Bork, Matthew - DOA  
**Sent:** Monday, February 18, 2019 11:10 AM  
**To:** Shea, Lis - LEGIS <elisabeth.shea@legis.wisconsin.gov>  
**Cc:** Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>  
**Subject:** Draft Changes

Good morning Lis,

I would like changes to several drafts, as listed below. Please call me if you need any further information or have any questions.

Kind regards,  
Matt

Draft 19-2064/P1:

- Section 9106 should be amended to be "...shall allocate **up to** \$5,000,000 for the appropriation..."
- Please also add "...for the purposes under s. 48.526 (2) (c) only for **the reimbursement of costs associated with juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17, or for counties starting secured or joint secured residential care centers.**"
- In addition, please add a section that changes the years listed in 48.526 (7) and (8) so that they apply to the 2019-21 biennium.

Draft 19-0699/P1:

Can you amend this draft so that 48.481 (4) says "From the appropriation under s. 20.437 (1) (bc), the department **may** pay all of the following..." Just so you know, this is a request that I submitted, there was some error in our system and Olivia somehow got assigned to this draft.



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2064/P2  
EHS:kjf

DOA:.....Bork, BB0386 - Allocation of community youth and family aids for 17-year-old juvenile offenders

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

m 2/19

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

*Analysis by the Legislative Reference Bureau*

**CORRECTIONAL SYSTEM**

**JUVENILE CORRECTION SYSTEM**

**1. Community youth and family aids for 17-year-olds**

INS. A

Under current law relating to community youth and family aids, generally referred to as "youth aids," DCF is required to 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 requires DCF, between January 1, 2021, and June 30, 2021, to allocate \$5,000,000 of these moneys to counties for these purposes only for juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17. The bill requires DCF to consult with county representatives to determine how to allocate this amount among counties.

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:**

reimbursement of costs associated with

either

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

(1) COMMUNITY YOUTH AND FAMILY AIDS FOR 17-YEAR-OLDS. Notwithstanding s. 48.526, between January 1, 2021, and June 30, 2021, the department of children and families shall allocate <sup>no more than</sup> \$5,000,000 from the appropriation under s. 20.437 (1) (c) to counties to be used for the purposes under s. 48.526 (2) (c) only for juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17. The department of children and families shall consult with county representatives to determine how to allocate this amount among counties.

(END)

*the reimbursement of costs associated with*

*under s. 59.57(8m) to counties that establish or contract with a child welfare agency to establish a secured residential care center for children and youth on ~~the~~ <sup>their</sup> own or jointly with one or more counties.*

*INS. 2-1*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

1           **INSERT A**

This bill sets the amounts of youth aids that DCF must allocate to counties in the 2019-21 fiscal biennium.

2           This bill appropriates to DCF a sum sufficient for youth aids-related purposes but only to reimburse counties, between January 1, 2021, and June 30, 2021, for costs associated with juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17 and for costs incurred to establish, alone or jointly with one or more counties, a secured residential care center for children and youth. The bill requires DCF to consult with county representatives to determine those expenses that are eligible for reimbursement and to evaluate modifications to the youth aids formula.

2           **INSERT 2-1**

3           **SECTION 1.** 20.437 (1) (cL) of the statutes is created to read:

4           20.437 (1) (cL) *Community youth and family aids; 17-year-olds and secured*  
5           *residential care centers for children and youth.* A sum sufficient for the purposes  
6           under s. 48.526 (2) (c) only for the reimbursement of costs associated with juveniles  
7           who were alleged to have violated a state or federal criminal law or any civil law or  
8           municipal ordinance at age 17 or who were adjudicated delinquent at age 17.

9           **SECTION 2.** 20.437 (1) (cL) of the statutes is repealed.

10          **SECTION 3.** 48.526 (7) (intro.) of the statutes is amended to read:

11          48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
12          of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate  
13          funds for community youth and family aids for the period beginning on July 1, 2015  
14          2019, and ending on June 30, 2017 2021, as provided in this subsection to county  
15          departments under ss. 46.215, 46.22, and 46.23 as follows:

History: 2015 a. 55 ss. 1676 to 1678, 4256 to 4263, 4276 to 4278, 4280, 4282, 4284, 4286, 4288, 4290, 4292, 4294; Stats. 2015 s. 48.526; 2017 a. 185.

16          **SECTION 4.** 48.526 (7) (a) of the statutes is amended to read:

1           48.526 (7) (a) For community youth and family aids under this section,  
2 amounts not to exceed \$45,572,100 for the last 6 months of ~~2015~~ 2019, \$91,150,200  
3 for ~~2016~~ 2020, and \$45,578,100 for the first 6 months of ~~2017~~ 2021.

**History:** 2015 a. 55 ss. 1676 to 1678, 4256 to 4263, 4276 to 4278, 4280, 4282, 4284, 4286, 4288, 4290, 4292, 4294; Stats. 2015 s. 48.526; 2017 a. 185.

4           **SECTION 5.** 48.526 (7) (b) (intro.) of the statutes is amended to read:

5           48.526 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall  
6 allocate \$2,000,000 for the last 6 months of ~~2015~~ 2019, \$4,000,000 for ~~2016~~ 2020, and  
7 \$2,000,000 for the first 6 months of ~~2017~~ 2021 to counties based on each of the  
8 following factors weighted equally:

**History:** 2015 a. 55 ss. 1676 to 1678, 4256 to 4263, 4276 to 4278, 4280, 4282, 4284, 4286, 4288, 4290, 4292, 4294; Stats. 2015 s. 48.526; 2017 a. 185.

9           **SECTION 6.** 48.526 (7) (bm) of the statutes is amended to read:

10          48.526 (7) (bm) Of the amounts specified in par. (a), the department shall  
11 allocate \$6,250,000 for the last 6 months of ~~2015~~ 2019, \$12,500,000 for ~~2016~~ 2020,  
12 and \$6,250,000 for the first 6 months of ~~2017~~ 2021 to counties based on each county's  
13 proportion of the number of juveniles statewide who are placed in a juvenile  
14 correctional facility or a secured residential care center for children and youth during  
15 the most recent 3-year period for which that information is available.

**History:** 2015 a. 55 ss. 1676 to 1678, 4256 to 4263, 4276 to 4278, 4280, 4282, 4284, 4286, 4288, 4290, 4292, 4294; Stats. 2015 s. 48.526; 2017 a. 185.

16          **SECTION 7.** 48.526 (7) (c) of the statutes is amended to read:

17          48.526 (7) (c) Of the amounts specified in par. (a), the department shall allocate  
18 \$1,053,200 for the last 6 months of ~~2015~~ 2019, \$2,106,500 for ~~2016~~ 2020, and  
19 \$1,053,300 for the first 6 months of ~~2017~~ 2021 to counties based on each of the factors  
20 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an  
21 allocation under this paragraph that is less than 93 percent nor more than 115  
22 percent of the amount that the county would have received under this paragraph if



1 the allocation had been distributed only on the basis of the factor specified in par. (b)  
2 3.

History: 2015 a. 55 ss. 1676 to 1678, 4256 to 4263, 4276 to 4278, 4280, 4282, 4284, 4286, 4288, 4290, 4292, 4294; Stats. 2015 s. 48.526; 2017 a. 185.

3 SECTION 8. 48.526 (7) (e) of the statutes is amended to read:

4 48.526 (7) (e) For emergencies related to community youth and family aids  
5 under this section, amounts not to exceed \$125,000 for the last 6 months of 2015  
6 2019, \$250,000 for ~~2016~~ 2020, and \$125,000 for the first 6 months of ~~2017~~ 2021. A  
7 county is eligible for payments under this paragraph only if it has a population of not  
8 more than 45,000.

History: 2015 a. 55 ss. 1676 to 1678, 4256 to 4263, 4276 to 4278, 4280, 4282, 4284, 4286, 4288, 4290, 4292, 4294; Stats. 2015 s. 48.526; 2017 a. 185.

9 SECTION 9. 48.526 (7) (h) of the statutes is amended to read:

10 48.526 (7) (h) For counties that are purchasing community supervision  
11 services under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2017~~ 2019,  
12 \$2,124,800 in ~~2018~~ 2020, and \$1,062,400 in the first 6 months of ~~2019~~ 2021 for the  
13 provision of community supervision services for juveniles from that county. In  
14 distributing funds to counties under this paragraph, the department shall distribute  
15 to each county the full amount of the charges for the services purchased by that  
16 county, except that if the amounts available under this paragraph are insufficient to  
17 distribute that full amount, the department shall distribute those available amounts  
18 to each county that purchases community supervision services based on the ratio  
19 that the charges to that county for those services bear to the total charges to all  
20 counties that purchase those services.

History: 2015 a. 55 ss. 1676 to 1678, 4256 to 4263, 4276 to 4278, 4280, 4282, 4284, 4286, 4288, 4290, 4292, 4294; Stats. 2015 s. 48.526; 2017 a. 185.

21 SECTION 10. 48.526 (8) of the statutes is amended to read:

22 48.526 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the  
23 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last

1 6 months of ~~2015~~ 2019, \$1,333,400 in ~~2016~~ 2020, and \$666,700 in the first 6 months  
2 of ~~2017~~ 2021 for alcohol and other drug abuse treatment programs.

History: 2015 a. 55 ss. 1676 to 1678, 4256 to 4263, 4276 to 4278, 4280, 4282, 4284, 4286, 4288, 4290, 4292, 4294; Stats. 2015 s. 48.526; 2017 a. 185.

3 **INSERT 2-2**

4 (1) COMMUNITY YOUTH AND FAMILY AIDS FOR 17-YEAR-OLDS.

5 (a) Notwithstanding s. 48.526, from the appropriation under s. 20.437 (1) (cL),  
6 between January 1, 2021, and June 30, 2021, the department of children and families  
7 shall reimburse counties for the costs under s. 48.526 (2) (c) associated with juveniles  
8 who were alleged to have violated a state or federal criminal law or any civil law or  
9 municipal ordinance at age 17 or who were adjudicated delinquent at age 17 and for  
10 the costs incurred by a county, either on its own or jointly with one or more counties,  
11 in establishing a secured residential care center for children and youth under s. 59.53  
12 (8m).

13 (b) The department of children and families shall consult with county  
14 representatives to determine eligible expenses to be reimbursed under par. (a) and  
15 to evaluate modifications to the community youth and family aids formula under s.  
16 48.526.

17 **SECTION 9406. Effective dates; Children and Families.**

18 (1) COMMUNITY YOUTH AND FAMILY AIDS FOR 17-YEAR-OLDS. The treatment of s.  
19 20.437 (1) (cL) (by ~~SECTION 2~~) takes effect on July 1, 2021.

*repeal*



2/19/19  
Matt

-2064

sum sufficient approp doesn't go away

No limitation Jan-July 2021

→ Start Jan 1 2021



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2064/P3 <sup>ep4</sup>  
EHS:kjf

DOA:.....Bork, BB0386 - Allocation of community youth and family aids;  
temporary allocation to counties for 17-year-old juvenile  
offenders and SRCCCYs

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

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

*Analysis by the Legislative Reference Bureau*

**CORRECTIONAL SYSTEM**

**JUVENILE CORRECTION SYSTEM**

**1. Community youth and family aids for 17-year-olds**

Under current law relating to community youth and family aids, generally referred to as "youth aids," DCF is required to 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 DCF must allocate to counties in the 2019-21 fiscal biennium.

The bill appropriates to DCF a sum sufficient for youth aids-related purposes but only to reimburse counties, between January 1, 2021, and June 30, 2021, for costs associated with juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17 and for costs incurred to establish, alone or jointly with one or more counties, a secured residential care center for children and youth. The bill requires DCF to consult with county representatives to determine those expenses that are eligible for reimbursement and to evaluate modifications to the youth aids formula.

*between January 1, 2021, and June 30, 2021,* *beginning on*

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.** 20.437 (1) (cL) of the statutes is created to read:

2           20.437 (1) (cL) *Community youth and family aids; 17-year-olds* and *secured*  
3           *residential care centers for children and youth.* A sum sufficient for the purposes  
4           under s. 48.526 (2) (c) only for the reimbursement of costs associated with juveniles  
5           who were alleged to have violated a state or federal criminal law or any civil law or  
6           municipal ordinance at age 17 or who were adjudicated delinquent at age 17.

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

7           **SECTION 2.** 20.437 (1) (cL) of the statutes, as created by 2019 Wisconsin Act ...  
8           (this act), is repealed.

9           **SECTION 3.** 48.526 (7) (intro.) of the statutes is amended to read:

10           48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
11           of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate  
12           funds for community youth and family aids for the period beginning on July 1, 2015  
13           2019, and ending on June 30, 2017 2021, as provided in this subsection to county  
14           departments under ss. 46.215, 46.22, and 46.23 as follows:

15           **SECTION 4.** 48.526 (7) (a) of the statutes is amended to read:

16           48.526 (7) (a) For community youth and family aids under this section,  
17           amounts not to exceed \$45,572,100 for the last 6 months of 2015 2019, \$91,150,200  
18           for 2016 2020, and \$45,578,100 for the first 6 months of 2017 2021.

19           **SECTION 5.** 48.526 (7) (b) (intro.) of the statutes is amended to read:

1           48.526 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall  
2           allocate \$2,000,000 for the last 6 months of ~~2015~~ 2019, \$4,000,000 for ~~2016~~ 2020, and  
3           \$2,000,000 for the first 6 months of ~~2017~~ 2021 to counties based on each of the  
4           following factors weighted equally:

5           **SECTION 6.** 48.526 (7) (bm) of the statutes is amended to read:

6           48.526 (7) (bm) Of the amounts specified in par. (a), the department shall  
7           allocate \$6,250,000 for the last 6 months of ~~2015~~ 2019, \$12,500,000 for ~~2016~~ 2020,  
8           and \$6,250,000 for the first 6 months of ~~2017~~ 2021 to counties based on each county's  
9           proportion of the number of juveniles statewide who are placed in a juvenile  
10          correctional facility or a secured residential care center for children and youth during  
11          the most recent 3-year period for which that information is available.

12          **SECTION 7.** 48.526 (7) (c) of the statutes is amended to read:

13          48.526 (7) (c) Of the amounts specified in par. (a), the department shall allocate  
14          \$1,053,200 for the last 6 months of ~~2015~~ 2019, \$2,106,500 for ~~2016~~ 2020, and  
15          \$1,053,300 for the first 6 months of ~~2017~~ 2021 to counties based on each of the factors  
16          specified in par. (b) 1. to 3. weighted equally, except that no county may receive an  
17          allocation under this paragraph that is less than 93 percent nor more than 115  
18          percent of the amount that the county would have received under this paragraph if  
19          the allocation had been distributed only on the basis of the factor specified in par. (b)  
20          3.

21          **SECTION 8.** 48.526 (7) (e) of the statutes is amended to read:

22          48.526 (7) (e) For emergencies related to community youth and family aids  
23          under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2015~~  
24          2019, \$250,000 for ~~2016~~ 2020, and \$125,000 for the first 6 months of ~~2017~~ 2021. A

1 county is eligible for payments under this paragraph only if it has a population of not  
2 more than 45,000.

3 **SECTION 9.** 48.526 (7) (h) of the statutes is amended to read:

4 48.526 (7) (h) For counties that are purchasing community supervision  
5 services under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2017~~ 2019,  
6 \$2,124,800 in ~~2018~~ 2020, and \$1,062,400 in the first 6 months of ~~2019~~ 2021 for the  
7 provision of community supervision services for juveniles from that county. In  
8 distributing funds to counties under this paragraph, the department shall distribute  
9 to each county the full amount of the charges for the services purchased by that  
10 county, except that if the amounts available under this paragraph are insufficient to  
11 distribute that full amount, the department shall distribute those available amounts  
12 to each county that purchases community supervision services based on the ratio  
13 that the charges to that county for those services bear to the total charges to all  
14 counties that purchase those services.

15 **SECTION 10.** 48.526 (8) of the statutes is amended to read:

16 48.526 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the  
17 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last  
18 6 months of ~~2015~~ 2019, \$1,333,400 in ~~2016~~ 2020, and \$666,700 in the first 6 months  
19 of ~~2017~~ 2021 for alcohol and other drug abuse treatment programs.

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

21 (1) COMMUNITY YOUTH AND FAMILY AIDS FOR 17-YEAR-OLDS.

22 (a) Notwithstanding s. 48.526, from the appropriation under s. 20.437 (1) (cL),  
23 *beginning on* between January 1, 2021, and June 30, 2021, the department of children and families  
24 shall reimburse counties for the costs under s. 48.526 (2) (c) associated with juveniles  
25 who were alleged to have violated a state or federal criminal law or any civil law or

INS.  
4-20

1 municipal ordinance at age 17 or who were adjudicated delinquent at age 17 and for  
2 the costs incurred by a county, either on its own or jointly with one or more counties,  
3 in establishing a secured residential care center for children and youth under s. 59.53  
4 (8m).

5 *between January 1, 2021, and June 30, 2021,*  
6 <sup>e</sup>(b) The department of children and families shall consult with county  
7 representatives to determine eligible expenses to be reimbursed under <sup>e</sup>par. (a) and <sup>s. 48.5275</sup>  
8 to evaluate modifications to the community youth and family aids formula under s.  
9 48.526.

9 **SECTION 9406. Effective dates; Children and Families.**

10 (1) COMMUNITY YOUTH AND FAMILY AIDS FOR 17-YEAR-OLDS. The repeal of s. 20.437

11 (1) (cL) takes effect on July 1, 2021.

12 (END)

*SECTION 9106, Nonstatutory provisions; Children and Families.  
(1) COMMUNITY YOUTH AND FAMILY AIDS; 17-YEAR-OLDS AND COUNTY FACILITIES.*



**2019-2020 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2064/P4ins  
EHS:kjf

1           **INSERT 4-20**

2           **SECTION 1.** 48.5275 of the statutes is created to read:

3           **48.5275 Community youth and family aids; 17-year-old juveniles and**  
4   **county facilities. (1)**

## Shea, Elisabeth

---

**From:** Bork, Matthew - DOA  
**Sent:** Tuesday, February 19, 2019 4:22 PM  
**To:** Shea, Elisabeth  
**Subject:** FW: Draft Changes

Hi Lis,

First, I am sorry for all of the back and forth on this draft.

On 19-2064\_P3, I think you made a good point about when the consultations with the counties can begin. In the nonstatutory provision, please do not include dates limiting when they would begin or end. My understanding is that the consultations would be able to begin as soon as this becomes law, the spending wouldn't be able to begin until Jan 1, 2021, and the requirement for consultations would end at the end of the biennium when that nonstat would otherwise end. If my understanding is correct, can you please adjust the draft to do that?

Thanks,  
Matt

---

**From:** Bork, Matthew - DOA  
**Sent:** Monday, February 18, 2019 6:07 PM  
**To:** Shea, Lis - LEGIS <[elisabeth.shea@legis.wisconsin.gov](mailto:elisabeth.shea@legis.wisconsin.gov)>  
**Cc:** Kraus, Jennifer - DOA <[Jennifer.Kraus@wisconsin.gov](mailto:Jennifer.Kraus@wisconsin.gov)>  
**Subject:** RE: Draft Changes

Hi Lis,

I now have new changes for draft 19-2064/P2. I will list them below for your reference, but please call me when you have time so we can go over 19-2064/P2 and 19-0699/P1 just to make sure we are on the same page.

Thanks,  
Matt

I would like the draft 19-2064/P3 to include

- Creating a sum sufficient appropriation for administering youth aids for 17-year-olds and costs for starting secured residential care centers.
- Updating the years in 48.526(7) and (8) for the 2019-21 biennium.
- Revising the current nonstatutory provision such that:
  - o The \$5,000,000 are allocated to the sum sufficient appropriation
  - o The funds are used for the purposes under s. 48.526 (2) (c) and any other necessary statutes "only for **the reimbursement of eligible expenses associated with** juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17, **or for counties starting secured or joint secured residential care centers.**"
  - o Specify that the department shall consult with county representatives to evaluate modifications to youth aids formula as well as determine eligible expenses relating to the 17-year-olds and start up costs for secured RCCs.

---

**From:** Bork, Matthew - DOA  
**Sent:** Monday, February 18, 2019 3:17 PM

To: Shea, Lis - LEGIS <elisabeth.shea@legis.wisconsin.gov>

Subject: RE: Draft Changes

Hi Lis,

Sorry, I have one more adjustment to 19-0699/P1. Can you please revise this draft so that appropriation is 20.437 (1) (a) is referenced, not 20.437 (1) (bc)?

Thanks,  
Matt

**From:** Bork, Matthew - DOA

**Sent:** Monday, February 18, 2019 11:10 AM

**To:** Shea, Lis - LEGIS <elisabeth.shea@legis.wisconsin.gov>

**Cc:** Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>

**Subject:** Draft Changes

Good morning Lis,

I would like changes to several drafts, as listed below. Please call me if you need any further information or have any questions.

Kind regards,  
Matt

Draft 19-2064/P1:

- Section 9106 should be amended to be "...shall allocate **up to** \$5,000,000 for the appropriation..."
- Please also add "...for the purposes under s. 48.526 (2) (c) only for **the reimbursement of costs associated with juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17 or who were adjudicated delinquent at age 17, or for counties starting secured or joint secured residential care centers.**"
- In addition, please add a section that changes the years listed in 48.526 (7) and (8) so that they apply to the 2019-21 biennium.

Draft 19-0699/P1:

Can you amend this draft so that 48.481 (4) says "From the appropriation under s. 20.437 (1) (bc), the department **may** pay all of the following..." Just so you know, this is a request that I submitted, there was some error in our system and Olivia somehow got assigned to this draft.