



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2064/P4
EHS:kjf

juveniles (please change request sheet)

DOA:.....Bork, BB0386 - Community youth and family aids; funding for
17-year-old offenders and SRCCCYs

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

In 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

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, beginning on January 1, 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, between January 1, 2021, and June 30, 2021, to consult with county representatives to determine those expenses that are eligible for reimbursement and to evaluate modifications to the youth aids formula.

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-old juveniles and*
3 *county facilities.* A sum sufficient for the purposes under s. 48.5275.

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

4 **SECTION 2.** 48.526 (7) (intro.) of the statutes is amended to read:

5 48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
6 of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate
7 funds for community youth and family aids for the period beginning on July 1, 2015
8 2019, and ending on June 30, ~~2017~~ 2021, as provided in this subsection to county
9 departments under ss. 46.215, 46.22, and 46.23 as follows:

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

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12 amounts not to exceed \$45,572,100 for the last 6 months of ~~2015~~ 2019, \$91,150,200
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18 following factors weighted equally:

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1 48.526 (7) (bm) Of the amounts specified in par. (a), the department shall
2 allocate \$6,250,000 for the last 6 months of ~~2015~~ 2019, \$12,500,000 for ~~2016~~ 2020,
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6 the most recent 3-year period for which that information is available.

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

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10 \$1,053,300 for the first 6 months of ~~2017~~ 2021 to counties based on each of the factors
11 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
12 allocation under this paragraph that is less than 93 percent nor more than 115
13 percent of the amount that the county would have received under this paragraph if
14 the allocation had been distributed only on the basis of the factor specified in par. (b)
15 3.

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

17 48.526 (7) (e) For emergencies related to community youth and family aids
18 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2015~~
19 2019, \$250,000 for ~~2016~~ 2020, and \$125,000 for the first 6 months of ~~2017~~ 2021. A
20 county is eligible for payments under this paragraph only if it has a population of not
21 more than 45,000.

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24 services under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2017~~ 2019,
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1 provision of community supervision services for juveniles from that county. In
2 distributing funds to counties under this paragraph, the department shall distribute
3 to each county the full amount of the charges for the services purchased by that
4 county, except that if the amounts available under this paragraph are insufficient to
5 distribute that full amount, the department shall distribute those available amounts
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10 48.526 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
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12 6 months of ~~2015~~ 2019, \$1,333,400 in ~~2016~~ 2020, and \$666,700 in the first 6 months
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14 **SECTION 10.** 48.5275 of the statutes is created to read:

15 **48.5275 Community youth and family aids; 17-year-old juveniles and**
16 **county facilities.** (1) Notwithstanding s. 48.526, from the appropriation under s.
17 20.437 (1) (cL), beginning on January 1, 2021, the department shall reimburse
18 counties for the costs under s. 48.526 (2) (c) associated with juveniles who were
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21 incurred by a county, either on its own or jointly with one or more counties, in
22 establishing a secured residential care center for children and youth under s. 59.53
23 (8m).

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

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(1) COMMUNITY YOUTH AND FAMILY AIDS; 17-YEAR-OLDS AND COUNTY FACILITIES.

JUVENILES

Between January 1, 2021, and June 30, 2021, the department of children and families shall consult with county representatives to determine eligible expenses to be reimbursed under s. 48.5275 and to evaluate modifications to the community youth and family aids formula under s. 48.526.

(END)



2/20/19

Matt - 2064

- change name of (1)(cL) approp: 17-yr-old juvenile justice aids
- new approp for county facility start-up; GPR annual
- Section 10 break into 2
- nonstat - ref to new county facility statute



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2064/P5 *gelp6*
EHS:kjf

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JUVENILE CORRECTION SYSTEM

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The bill appropriates to DCF a sum sufficient for youth aids-related purposes but only to reimburse counties, beginning on January 1, 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.

INS. A

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Seventeen
juvenile justice aids

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

INS.
2-4

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20 ordinance at age 17 or who were adjudicated delinquent at age 17 ^{justice aids} and for the costs
21 incurred by a county, either on its own or jointly with one or more counties, in
22 establishing a secured residential care center for children and youth under s. 59.53
23 (8m).

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

MS.
4-24

SECTION 9106

SEVENTEEN

JUVENILE JUSTICE AIDS

FORMULA

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(1) ~~AND THE~~ COMMUNITY YOUTH AND FAMILY AIDS ² 17-YEAR-OLD JUVENILES AND ² COUNTY FACILITIES. The department of children and families shall consult with county representatives to determine eligible expenses to be reimbursed under s. ^s 48.5275 ^L and to evaluate modifications to the community youth and family aids formula under s. 48.526.

(END)

2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2064/P6ins
EHS:kjf

INSERT A

The bill also provides funding and requires DCF to reimburse counties for costs incurred for youth aids-related purposes in establishing, alone or jointly with one or more counties, a secured residential care center for children and youth.

INSERT 2-4

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

2 20.437 (1) (cn) *County facility start-up costs*. The amounts in the schedule for
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4 **INSERT 4-24**

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9 establishing a secured residential care center for children and youth under s. 59.53
10 (8m).

note: bud →

Shea, Elisabeth

From: Bork, Matthew - DOA
Sent: Wednesday, February 20, 2019 1:25 PM
To: Shea, Elisabeth
Subject: RE: Changes to 2064/P6 and 1909/P2

I see what you are saying, let me come at this from a different angle. Instead of what I suggested, would it make sense for 48.5276 to be written "...the department shall reimburse counties for the **one-time start-up** costs under 48.526..."

From: Shea, Lis - LEGIS <elisabeth.shea@legis.wisconsin.gov>
Sent: Wednesday, February 20, 2019 1:03 PM
To: Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>
Subject: RE: Changes to 2064/P6 and 1909/P2

I think I see what you're saying, and I think there is nothing I can do in the draft to make that happen. Rather, Fiscal Bureau will make that clear in the schedule entry. As I understand it, if the ch. 20 schedule shows \$0 in FY20 and \$X in FY21 (X being whatever amount this approp is funded at for that fiscal year), then the "base funding" for that approp for the 21-23 biennium will be \$0. It is based off of the 1st year of the previous biennium.

From: Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>
Sent: Wednesday, February 20, 2019 12:49 PM
To: Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>
Subject: RE: Changes to 2064/P6 and 1909/P2

Good question, let me clarify what I mean. I do not want repeal the appropriation at the end of the biennium. My intent in drafting this is not to eliminate the possibility of continuing this funding in the future, rather my point is to say that this would be one-time financing in FY21, which would leave the option of continuing the funding in future fiscal years if it is desired. Does that make sense?

From: Shea, Lis - LEGIS <elisabeth.shea@legis.wisconsin.gov>
Sent: Wednesday, February 20, 2019 12:37 PM
To: Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>
Subject: RE: Changes to 2064/P6 and 1909/P2

Also, I think the only way to ensure the funding doesn't continue to the next biennium is to repeal the appropriation effective at the end of this biennium, so June 30, 2021. Does that work for you?

From: Shea, Elisabeth
Sent: Wednesday, February 20, 2019 12:35 PM
To: Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>
Subject: RE: Changes to 2064/P6 and 1909/P2

On it! One question – for 2064, the wording would now be "the department of children and families **shall consult with** county representatives ... **to consult on** modifications to the community youth and family aids formula..." Which seems redundant. Could I say instead "the department of children and families shall consult with county representatives ... on modifications to the community youth and family aids formula..."?

From: Bork, Matthew - DOA <Matthew.Bork@wisconsin.gov>
Sent: Wednesday, February 20, 2019 12:26 PM

To: Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>

Subject: Changes to 2064/P6 and 1909/P2

Hi Lis,

In 2064/P6, can you add in 48.5276 that this will be one-time financing, meaning that as it is written now, it will not continue into the 21-23 biennium. Also, in section 9106, can you remove "evaluate" in the second to last line and write "consult on" instead? It would be "... ss. 48.5275 and 48.5276 and to **consult on** modifications to the community youth..."

In 1909/P2, I need to once again update the numbers to now be \$78,708,100 in FY20 and \$90,478,400 in FY21. I do not expect this one to change again.

I really appreciate your patience and work on all of this.

Thanks,
Matt



Matthew Bork | Policy and Budget Analyst
Department of Administration
Division of Executive Budget and Finance
Matthew.Bork@wisconsin.gov
Direct: (608) 266-2288



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2064/P6 P7
EHS:kjf

DOA:.....Bork, BB0386 - Community youth and family aids; funding for
17-year-old juveniles and SRCCCYs

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

1w. 2/20

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JUVENILE CORRECTION SYSTEM

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one-time
start-up

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

2 20.437 (1) (cL) *Seventeen-year-old juvenile justice aids.* A sum sufficient for
3 the purposes under s. 48.5275.

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4 **SECTION 2.** 20.437 (1) (cn) of the statutes is created to read:

5 20.437 (1) (cn) *County facility start-up costs.* The amounts in the schedule for
6 the purposes under s. 48.5276.

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22 criminal law or any civil law or municipal ordinance at age 17 or who were
23 adjudicated delinquent at age 17.

24 **SECTION 12.** 48.5276 of the statutes is created to read:

1 **48.5276 County facility start-up costs.** From the appropriation under s.
2 20.437 (1) (cn), the department shall reimburse counties for the ^{one-time start-up} costs under s. 48.526
3 (2) (c) incurred by a county, either on its own or jointly with one or more counties, in
4 establishing a secured residential care center for children and youth under s. 59.53
5 (8m).

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

7 (1) SEVENTEEN-YEAR-OLD JUVENILE JUSTICE AIDS, COUNTY FACILITIES, AND THE
8 COMMUNITY YOUTH AND FAMILY AIDS FORMULA. The department of children and families
9 shall consult with county representatives to determine eligible expenses to be
10 reimbursed under ss. 48.5275 and 48.5276 and ^a to evaluate ^{on} modifications to the
11 community youth and family aids formula under s. 48.526.

12

(END)



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2019 - 2020 LEGISLATURE

LRB-2064/P7 8
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The bill appropriates to DCF a sum sufficient for youth aids-related purposes but only to reimburse counties, beginning on January 1, 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. The bill also provides funding and requires DCF to reimburse counties for one-time start-up costs incurred for youth aids-related purposes in establishing, 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.

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) *Seventeen-year-old juvenile justice aids.* A sum sufficient for
3 the purposes under s. 48.5275.

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

4 **SECTION 2.** 20.437 (1) (cn) of the statutes is created to read:

5 20.437 (1) (cn) *County facility start-up costs.* The amounts in the schedule for
6 the purposes under s. 48.5276.

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

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

8 48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
9 of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate
10 funds for community youth and family aids for the period beginning on July 1, 2015
11 2019, and ending on June 30, ~~2017~~ 2021, as provided in this subsection to county
12 departments under ss. 46.215, 46.22, and 46.23 as follows:

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

14 48.526 (7) (a) For community youth and family aids under this section,
15 amounts not to exceed \$45,572,100 for the last 6 months of ~~2015~~ 2019, \$91,150,200
16 for ~~2016~~ 2020, and \$45,578,100 for the first 6 months of ~~2017~~ 2021.

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

18 48.526 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
19 allocate \$2,000,000 for the last 6 months of ~~2015~~ 2019, \$4,000,000 for ~~2016~~ 2020, and

1 \$2,000,000 for the first 6 months of 2017 2021 to counties based on each of the
2 following factors weighted equally:

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

4 48.526 (7) (bm) Of the amounts specified in par. (a), the department shall
5 allocate \$6,250,000 for the last 6 months of ~~2015~~ 2019, \$12,500,000 for ~~2016~~ 2020,
6 and \$6,250,000 for the first 6 months of 2017 2021 to counties based on each county's
7 proportion of the number of juveniles statewide who are placed in a juvenile
8 correctional facility or a secured residential care center for children and youth during
9 the most recent 3-year period for which that information is available.

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

11 48.526 (7) (c) Of the amounts specified in par. (a), the department shall allocate
12 \$1,053,200 for the last 6 months of ~~2015~~ 2019, \$2,106,500 for ~~2016~~ 2020, and
13 \$1,053,300 for the first 6 months of 2017 2021 to counties based on each of the factors
14 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
15 allocation under this paragraph that is less than 93 percent nor more than 115
16 percent of the amount that the county would have received under this paragraph if
17 the allocation had been distributed only on the basis of the factor specified in par. (b)
18 3.

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

20 48.526 (7) (e) For emergencies related to community youth and family aids
21 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2015~~
22 2019, \$250,000 for ~~2016~~ 2020, and \$125,000 for the first 6 months of 2017 2021. A
23 county is eligible for payments under this paragraph only if it has a population of not
24 more than 45,000.

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

1 48.526 (7) (h) For counties that are purchasing community supervision
2 services under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2017~~ 2019,
3 \$2,124,800 in 2018 2020, and \$1,062,400 in the first 6 months of 2019 2021 for the
4 provision of community supervision services for juveniles from that county. In
5 distributing funds to counties under this paragraph, the department shall distribute
6 to each county the full amount of the charges for the services purchased by that
7 county, except that if the amounts available under this paragraph are insufficient to
8 distribute that full amount, the department shall distribute those available amounts
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10 that the charges to that county for those services bear to the total charges to all
11 counties that purchase those services.

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

13 48.526 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
14 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
15 6 months of ~~2015~~ 2019, \$1,333,400 in ~~2016~~ 2020, and \$666,700 in the first 6 months
16 of ~~2017~~ 2021 for alcohol and other drug abuse treatment programs.

17 **SECTION 11.** 48.5275 of the statutes is created to read:

18 **48.5275 Seventeen-year-old juvenile justice aids.** Notwithstanding s.
19 48.526, from the appropriation under s. 20.437 (1) (cL), beginning on January 1,
20 2021, the department shall reimburse counties for the costs under s. 48.526 (2) (c)
21 associated with juveniles who were alleged to have violated a state or federal
22 criminal law or any civil law or municipal ordinance at age 17 or who were
23 adjudicated delinquent at age 17.

24 **SECTION 12.** 48.5276 of the statutes is created to read:

1 **48.5276 County facility start-up costs.** From the appropriation under s.
2 20.437 (1) (cn), the department shall reimburse counties for the one-time start-up
3 costs under s. 48.526 (2) (c) incurred by a county, either on its own or jointly with one
4 or more counties, in establishing a secured residential care center for children and
5 youth under s. 59.53 (8m).

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

7 (1) SEVENTEEN-YEAR-OLD JUVENILE JUSTICE AIDS, COUNTY FACILITIES, AND THE
8 COMMUNITY YOUTH AND FAMILY AIDS FORMULA. The department of children and families
9 shall consult with county representatives to determine eligible expenses to be
10 reimbursed under ss. 48.5275 and 48.5276 and on modifications to the community
11 youth and family aids formula under s. 48.526.

12 **(END)**



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2064/P8
EHS:kjf

DOA:.....Bork, BB0386 - Community youth and family aids; funding for
17-year-old juveniles 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*

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.

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10

(END)