



2019 ASSEMBLY BILL 502

October 7, 2019 - Introduced by Representatives VOS, WITTKE, AUGUST, KERKMAN, NEUBAUER, MCGUIRE, BROOKS, KUGLITSCH, SKOWRONSKI, SPIROS, PLUMER, BORN, DITTRICH, TUSLER, RAMTHUN, THIESFELDT, OHNSTAD and SINICKI, cosponsored by Senators WANGGAARD, CRAIG, NASS, WIRCH, STROEBEL and PETROWSKI. Referred to Committee on Local Government.

1 **AN ACT to amend** 48.09 (5) of the statutes; **relating to:** transfer of the authority
2 to represent the public interest in proceedings under the Children's Code.

Analysis by the Legislative Reference Bureau

Current law requires that the interests of the public in proceedings under the Children's Code relating to a child in need of protection or services or an unborn child in need of protection or services be represented by the district attorney or, if designated by the county board of supervisors, the corporation counsel. Current law provides that the county board may transfer this authority to or from the district attorney, but only if the action is effective on September 1 of an odd-numbered year and the board notifies the Department of Administration of that change by January 1 of that odd-numbered year. This bill removes the requirement that these actions occur in the odd-numbered year and the requirement that the change be effective on September 1. Instead, under the bill, the board must notify DOA of the change no later than January 1 of the calendar year during which the change takes effect.

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

3 **SECTION 1.** 48.09 (5) of the statutes is amended to read:
4 48.09 (5) By the district attorney or, if designated by the county board of
5 supervisors, by the corporation counsel, in any matter arising under s. 48.13, 48.133,

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1 or 48.977. If the county board transfers this authority to or from the district attorney
2 on or after May 11, 1990, the board may do so only if ~~the action is effective on~~
3 ~~September 1 of an odd-numbered year~~ and the board notifies the department of
4 administration of ~~that~~ the change by no later than January 1 of ~~that odd-numbered~~
5 the calendar year during which the change takes effect.

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(END)