

CHAPTER 514

AN ACT to amend 46.10 (2) of the statutes, relating to the recovery of certain sums paid for public assistance.

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

46.10 (2) of the statutes is amended to read:

46.10 (2) Any patient in any charitable or curative institution of the state including the Wisconsin general hospital or of any county or municipality, in which the state is chargeable with all or a part of the patient's maintenance, except tuberculosis patients mentioned in ch. 50 and ss. 51.27 and 58.06 (2), or heretofore or hereafter committed or admitted to any such institution, and his property and estate, *including his homestead*, or the husband or wife of such patient and their property or estates, *including their homesteads*, and in the case of a minor child the father or mother of the patient, and their property and estates, *including their homesteads*, shall be liable for such patient's maintenance not exceeding the actual per capita cost thereof, except as provided in s. 51.22 (2m), and the department may bring action for the enforcement of such liability, *except that when it shall be shown that a husband, wife, widow or minors, or an incapacitated person may be lawfully dependent upon such property for their support, the court shall give due regard to this fact and release all or such part of the property and estate from such charge that may be necessary to provide for such persons.* The department shall make every reasonable effort to notify the relatives liable as soon as possible after the beginning of the maintenance but such notice or the receipt thereof is not a condition of liability of the relative.

Approved July 9, 1953.
