



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0956/P6
TJD:klm&wlj

DOA:.....Dombrowski, BB0123 - FSET requirement; drug testing of
able-bodied adults

FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

This bill specifies that DHS may require a subset of, instead of all, able individuals who are 18 to 60 years of age and who are not Wisconsin Works participants to participate in the FoodShare employment and training program, known as FSET, to the extent allowed by the federal government. FoodShare is also known as the food stamp program and the federal Supplemental Nutrition Assistance Program and is administered by DHS. Currently, able-bodied adults without dependents are required to comply with certain work requirements as a condition of FoodShare eligibility, though the FSET program is voluntary. DHS may currently require able individuals who are 18 to 60 years of age and who are not Wisconsin Works participants to participate in FSET, with certain exceptions that are not affected by the bill. The bill also specifies that DHS may implement the requirement to participate in FSET in certain areas of the state, as determined by DHS.

DHS is currently required to promulgate rules to develop and implement drug screening, testing, and treatment policy for able-bodied adults without dependents in the FSET program. If the rules are promulgated, DHS must screen, test, and treat

able-bodied adults without dependents in the FSET program for illegal use of a controlled substance. This bill applies these requirements for rule promulgation and implementation of a drug screening, testing, and treatment program to all able-bodied adults, regardless of whether they have dependents.

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:

SECTION 1. 49.79 (1) (am) 4. of the statutes is renumbered 49.79 (1) (ap) 4.

SECTION 2. 49.79 (1) (am) 5. of the statutes is renumbered 49.79 (1) (ap) 5.

SECTION 3. 49.79 (1) (am) 7. of the statutes is renumbered 49.79 (1) (ap) 7.

SECTION 4. 49.79 (1) (ap) (intro.) of the statutes is created to read:

49.79 (1) (ap) (intro.) “Able-bodied adult without dependents” means an able-bodied adult who is not any of the following:

SECTION 5. 49.79 (9) (a) 1. of the statutes is amended to read:

49.79 (9) (a) 1. The department shall administer an employment and training program for recipients under the food stamp program and may contract with county departments under ss. 46.215, 46.22, and 46.23, multicounty consortia, local workforce development boards established under [29 USC 2832](#), tribal governing bodies, or other organizations to carry out the administrative functions. A county department, multicounty consortium, local workforce development board, tribal governing body, or other organization may subcontract with a Wisconsin Works agency or another provider to administer the employment and training program under this subsection. Except as provided in subds. 2. and 3., the department may require able individuals who are 18 to 60 years of age, or a subset of those individuals to the extent allowed by the federal government, who are not participants in a

Wisconsin Works employment position to participate in the employment and training program under this subsection.

SECTION 6. 49.79 (10) (title) of the statutes is amended to read:

49.79 (10) (title) ELIGIBILITY AND WORK REQUIREMENTS FOR ABLE-BODIED ADULTS WITHOUT DEPENDENTS.

SECTION 7. 49.79 (10) (a) 1. of the statutes is amended to read:

49.79 (10) (a) 1. The department shall require an able-bodied adult without dependents who is participating in the food stamp program to fulfill the work requirement defined under [7 CFR 273.24](#) (a) (1).

SECTION 8. 49.79 (10) (a) 2. of the statutes is amended to read:

49.79 (10) (a) 2. If an able-bodied adult without dependents does not fulfill the work requirement, the department may limit the eligibility of the able-bodied adult's eligibility adult without dependents for food stamps to no more than 3 months during a 3-year period.

SECTION 9. 49.79 (10) (a) 3. of the statutes is amended to read:

49.79 (10) (a) 3. The department may exempt up to 15 percent of the able-bodied adults without dependents who are participating in the food stamp program from the time limit under subd. 2.

SECTION 9120. Nonstatutory provisions; Health Services.

(1) FOODSHARE EMPLOYMENT AND TRAINING PROGRAM REQUIREMENT. The department of health services may implement a requirement for individuals to participate in the food stamp program's employment and training program under section 49.79 (9) of the statutes in certain areas of the state, as determined by the department of health services.

(END)