



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0672/P3
EAW:kjf&skw

DOA:.....Rice, BB0158 - Civil legal assistance

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

Civil legal services grants

Under current law, DCF is directed to allocate in each fiscal year specific amounts of money, including federal moneys received under the Temporary Assistance for Needy Families (TANF) block grant, for various public assistance programs. Under current law, DCF provides funding to the Wisconsin Trust Account Foundation, Inc. (the Foundation), to provide civil legal services to TANF-eligible individuals in two ways:

1. DCF provides up to \$100,000 in each fiscal year in matching funds to the Foundation for the provision of civil legal services to eligible individuals. This grant does not specify what types of civil legal services may be provided.

2. DCF provides a \$500,000 grant in each fiscal year to the Foundation to provide grants to programs, up to \$75,000 each, that provide certain legal services to eligible individuals. The legal services provided through this grant are limited to legal services in civil matters related to domestic abuse or sexual abuse or to restraining orders or injunctions for individuals at risk.

This bill removes the grant that requires matching funds and increases the grant to provide certain legal services to eligible individuals to \$1,000,000 per fiscal

year. Under the bill, the Foundation may additionally use this funding to provide to eligible individuals civil legal services related to eviction. The bill removes the \$75,000 cap on grants provided by the Foundation to individual programs.

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SECTION 1. 49.1635 (1) of the statutes is repealed.

SECTION 2. 49.1635 (2) of the statutes is repealed.

SECTION 3. 49.1635 (3) of the statutes is repealed.

SECTION 4. 49.1635 (4) of the statutes is repealed.

SECTION 5. 49.1635 (5) (a) of the statutes is renumbered 49.1635 (1m) and amended to read:

49.1635 **(1m)** From the allocation under s. 49.175 (1) (j), the department shall make a grant of ~~\$500,000~~ \$1,000,000 in each fiscal year to Wisconsin Trust Account Foundation, Inc., for distribution of annual awards of not more than ~~\$75,000~~ per year ~~per program~~ to programs that provide legal services to persons who are eligible under ~~par. (b) 2.~~ sub. (2m) (b) if all of the following apply:

(a) Wisconsin Trust Account Foundation, Inc., submits a plan to the department detailing the proposed use of the grant; the proposed use of the grant conforms to the requirements under ~~par. (b)~~ sub. (2m); and the secretary of the department, or his or her designee, approves the plan.

(b) Wisconsin Trust Account Foundation, Inc., enters into an agreement with the department that specifies the conditions for the use of the grant proceeds, and the conditions conform to the requirements under ~~par. (b)~~ sub. (2m) and include training, reporting, and auditing requirements.

(c) Wisconsin Trust Account Foundation, Inc., agrees in writing to submit to the department the reports required under ~~par. (e) sub. (3m)~~ by the times required under ~~par. (e) sub. (3m)~~.

SECTION 6. 49.1635 (5) (b) of the statutes is renumbered 49.1635 (2m), and 49.1635 (2m) (a), as renumbered, is amended to read:

49.1635 **(2m)** (a) Subject to ~~subd. 3. par. (c)~~, the grant may be used only to provide legal services in civil matters related to eviction, domestic abuse, or sexual abuse, or to restraining orders or injunctions for individuals at risk under s. 813.123.

SECTION 7. 49.1635 (5) (c) of the statutes is renumbered 49.1635 (3m) and amended to read:

49.1635 **(3m)** For each fiscal year in which the department makes a grant under this subsection, Wisconsin Trust Account Foundation, Inc., shall submit to the department, within 3 months after spending the full amount of that grant, a report detailing how the grant proceeds were used. The department may not make a grant in a subsequent fiscal year unless Wisconsin Trust Account Foundation, Inc., submits the report under this paragraph within the time required and the department determines that the grant proceeds were used in accordance with the approved plan under ~~par. (a) 1. sub. (1m) (a)~~, the agreement under ~~par. (a) 2. sub. (1m) (b)~~, and the requirements under ~~par. (b) sub. (2m)~~.

(END)