



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1189/P3

MDE:cdc

DOA:.....Rice, BB0227 - Presumptive eligibility for Wisconsin Shares

FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

Presumptive eligibility for Wisconsin Shares

Under current law, an individual is eligible to receive a child care subsidy under the Wisconsin Shares program if DCF determines that the individual meets certain requirements, including requirements related to age of the child, income of the individual, and the individual's participation in certain eligible activities.

Under this bill, DCF may find an individual presumptively eligible for a child care subsidy while DCF verifies the individual's actual eligibility. If DCF finds an individual presumptively eligible for the child care subsidy, DCF must immediately begin issuing benefits to the individual. If DCF determines that the individual is actually ineligible, DCF must discontinue issuing benefits. To be found presumptively eligible for the subsidies, an individual must submit a report to DCF that includes information establishing the individual's actual eligibility and, based on the report, DCF must be able to plausibly assume that the individual is actually eligible for the subsidies.

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. 49.155 (1m) (intro.) of the statutes is amended to read:

49.155 (1m) ELIGIBILITY. (intro.) Except as provided in sub. (3g) and subject to sub. (1s), the department shall determine, contract with a county department or agency to determine, or contract with a county department or agency to share determination of the eligibility of individuals residing in a particular geographic

BILL**SECTION 1**

region or who are members of a particular Indian tribal unit for child care subsidies under this section. Under this section, and subject to sub. (2), an individual may receive a subsidy for child care for a child who has not attained the age of 13 or, if the child is disabled, who has not attained the age of 19, if the individual meets all of the following conditions:

SECTION 2. 49.155 (1s) of the statutes is created to read:

49.155 (1s) PRESUMPTIVE ELIGIBILITY. (a) The department may find an individual presumptively eligible for a child care subsidy while the department determines the individual's actual eligibility under sub. (1m) if all the following conditions are met:

1. The individual submits to the department a report establishing that the individual meets the conditions under sub. (1m).

2. The department is able to plausibly assume that the individual meets the conditions under sub. (1m) based on the report under subd. 1.

(b) Upon finding an individual presumptively eligible for child care subsidies under this subsection, the department shall immediately begin issuing benefits to the individual under sub. (3m).

(c) An individual may be presumptively eligible for child care subsidies under this subsection for no more than 3 months.

(d) If the department determines that an individual found presumptively eligible for child care subsidies under this subsection is actually ineligible for child care subsidies under sub. (1m), the department shall immediately discontinue issuing benefits to the individual under sub. (3m).

(END)