



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2009 Senate Bill 347**

**Senate Amendment 1**

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2009 Senate Bill 347 makes various changes to the Children's Code (ch. 48, Stats.) and the Juvenile Justice Code (ch. 938, Stats.) to comply with and implement federal laws.

### **Transition Plan for Children Aging Out of Foster Care**

Under the bill, the agency primarily responsible for providing services to the child who is placed in an out-of-home placement must provide the child with assistance and support in developing a plan for making the transition from out-of-home care to independent living by no later than 90 days before the child attains 18 years of age or, if the child is placed under an order that terminates after the child attains 18 years of age, by no later than 90 days before the termination of the order.

Senate Amendment 1 provides that assistance and support in developing a plan for making the transition from out-of-home care to independent living must be made during the 90 days immediately preceding the child's 18<sup>th</sup> birthday or the termination of the child's order.

### **Pass Through of Child Support Arrears**

Under the budget act (2009 Wisconsin Act 28), if an individual who formerly participated in, but is no longer participating in, the Wisconsin Works Program (W-2) assigned his or her right to support or maintenance from any other person to the state, the Department of Children and Families (DCF) must pay to the individual all of the money in support or maintenance arrears that is collected by DCF after the individual's participation ceased and that accrued while the individual was participating in W-2. The budget act created an identical provision for custodial parents who formerly received Supplemental Security Income payments and assigned their right to support from any other person to the state. The effective date for these provisions is January 1, 2010.

Senate Amendment 1 changes the effective date for these provisions to April 1, 2010, but provides that the provisions created in the budget act first apply to arrearages collected on January 1, 2010.

**Legislative History**

The Senate Committee on Children and Families and Workforce Development offered Senate Amendment 1 on October 22, 2009. On that date, the committee voted unanimously to recommend adoption of the amendment and passage of the bill, as amended.

AS:ksm