

State of Wisconsin



2005 Senate Bill 567

Date of enactment:
Date of publication*:

2005 WISCONSIN ACT

AN ACT *to renumber and amend* 49.84 (5); and *to create* 49.84 (5) (a) and 49.84 (5) (c) of the statutes; **relating to:** limiting eligibility for public assistance programs to U.S. citizens and qualifying aliens, requiring documentary proof of citizenship or satisfactory immigration status, granting rule-making authority, and providing a penalty.

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

SECTION 1. 49.84 (5) of the statutes is renumbered 49.84 (5) (b) and amended to read:

49.84 (5) (b) ~~A Notwithstanding any other eligibility requirements specified in this chapter, to the extent permitted under federal law, any person applying for Wisconsin works under ss. 49.141 to 49.161, aid to families with dependent children under s. 49.19, medical assistance under subch. IV or food stamp program benefits under 7 USC 2011 to 2029 any program under this chapter shall, as a condition of eligibility, provide a declaration and other verification documentary proof of citizenship or satisfactory immigration status as required by rule by the department by rule administering the program or as required in 42 USC 1320b-7 (d), and, except as provided in s. 49.45 (27), only a person who is a U.S. citizen or an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law shall be eligible for a program under this chapter.~~

SECTION 2. 49.84 (5) (a) of the statutes is created to read:

49.84 (5) (a) In this subsection, "program under this chapter" means any program administered by the department of health and family services or the department of

workforce development under this chapter under which the department administering the program provides services, benefits, or other assistance.

SECTION 3. 49.84 (5) (c) of the statutes is created to read:

49.84 (5) (c) 1. Every application for a program under this chapter shall include a certification clause, which shall be completed by the welfare worker or other person processing the application, certifying that he or she has received from the applicant documentary proof that the applicant is a U.S. citizen or an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law, and stating the nature of the documentary proof.

2. In addition to any other penalty, any person processing an application for a program under this chapter who falsely certifies on the application that he or she received documentary proof under subd. 1. shall be required to pay a forfeiture of \$250 for each false certification. Notice of the penalty under this subdivision shall be printed on the application directly below the certification clause required under subd. 1.

SECTION 4. Initial applicability.

(1) This act first applies to applications for public assistance programs under chapter 49 of the statutes that are submitted on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

SECTION 5. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.
