



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1350/1
EAW:cde

2019 BILL

1 **AN ACT to create** 767.001 (5m) and 767.41 (4) (f) of the statutes; **relating to:**
2 parenting time.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Child Placement and Support. The bill specifies that if a court grants a shared physical placement schedule for a child with both parents, the court must order that whenever a parent needs to obtain child care from someone outside the household, the parent needing the child care must first offer the opportunity to the other parent before seeking outside care, if practicable considering the available time and distance between residences. This is sometimes referred to as a "right of first refusal" provision and under current law can be included by agreement of the parents in their settlement arrangements.

Under the bill, the other parent is under no obligation to provide the requested care, and providing the care does not modify child support. The bill also specifies that the other parent who is providing the child care will provide the necessary transportation unless the parents agree otherwise.

The bill defines "shared physical placement" as a court-ordered physical placement schedule under which both parents have periods of physical placement of at least 25%.

