



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRBb0625/1  
EHS/MDE/MIM:cdc

**SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 2,  
TO SENATE BILL 45**

July 2, 2025 - Offered by Senators HESSELBEIN, SMITH, SPREITZER, DRAKE, L. JOHNSON, ROYS, CARPENTER, DASSLER-ALFHEIM, HABUSH SINYKIN, KEYESKI, LARSON, PFAFF, RATCLIFF and WALL.

At the locations indicated, amend the substitute amendment as follows:

**1.** At the appropriate place, insert the schedule for s. 20.437 from 2025 Senate Bill 45 covering the department of children and families.

**2.** At the appropriate places, insert all of the following:

“**SECTION 1.** 20.255 (2) (eh) of the statutes is renumbered 20.437 (2) (eh) and amended to read:

20.437 (2) (eh) *Head start supplement.* The amounts in the schedule for the head start supplement under s. ~~115.3615~~ 49.39.

**SECTION 2.** 20.437 (1) (bc) of the statutes is amended to read:

20.437 (1) (bc) ~~Grants for children's community~~ Youth support programs. The amounts in the schedule for grants for ~~children's community~~ youth support

programs under s. 48.481. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All moneys under this appropriation account that are distributed under s. 48.481 but are not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.

**SECTION 3.** 20.437 (1) (bd) of the statutes is created to read:

20.437 (1) (bd) *Tribal family services grants.* The amounts in the schedule for tribal family services grants under s. 48.487.

20.437 (1) (bn) *Tribal placements.* The amounts in the schedule to be used for unexpected or unusually high-cost out-of-home care placements of Indian children by tribal courts, including placements of Indian juveniles who have been adjudicated delinquent.

**SECTION 4.** 20.437 (1) (cj) of the statutes is amended to read:

20.437 (1) (cj) *Community youth and family aids.* The amounts in the schedule for the improvement and provision of community-based juvenile delinquency-related services under s. 48.526 and juvenile correctional services under s. 301.26 and for reimbursement to counties having a population of less than 750,000 for the cost of court attached intake services as provided in s. 938.06 (4). Disbursements may be made from this appropriation account under s. 49.32 (2). Refunds received relating to payments made under s. 49.32 (2) shall be returned to this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of children and families may transfer moneys under this paragraph between fiscal years. Except for moneys authorized to be carried forward under s.

48.526 (3) (dm) or for transfer under s. 48.526 (3) (e), all moneys from this paragraph allocated under s. 48.526 (3) and not spent or encumbered by counties by December 31 of each year shall lapse into the general fund on the succeeding January 1. The joint committee on finance may transfer additional moneys to the next calendar year.

**SECTION 5.** 20.437 (1) (cm) of the statutes is amended to read:

20.437 (1) (cm) ~~Community intervention program~~ Youth justice system improvement program. The amounts in the schedule for the ~~community intervention program~~ youth justice system improvement program under s. 48.528.

**SECTION 6.** 20.437 (1) (cx) of the statutes is amended to read:

20.437 (1) (cx) *Child welfare services; aids*. The amounts in the schedule for providing services to children and families under s. 48.48 (17) in a county having a population of 750,000 or more, for the cost of subsidized guardianship payments under s. 48.623 ~~(1)~~ (1r) or (6), and, to the extent that a demonstration project authorized under 42 USC 1320a-9 reduces the cost of providing out-of-home care for children in that county, for services for children and families under s. 48.563 (4) in counties having a population of less than 750,000.

**SECTION 7.** 20.437 (1) (dd) of the statutes is amended to read:

20.437 (1) (dd) *State out-of-home care, adoption services, ~~and~~ subsidized guardianships, and kinship care*. The amounts in the schedule for foster care, institutional child care, and subsidized adoptions under ss. 48.48 (12) and 48.52, for the cost of care for children under s. 49.19 (10) (d), for the cost of placements of children 18 years of age or over in residential care centers for children and youth under voluntary agreements under s. 48.366 (3) or under orders that terminate as

provided in s. 48.355 (4) (b) 4., 48.357 (6) (a) 4., or 48.365 (5) (b) 4., for the cost of the foster care monitoring system, for the cost of reimbursing ~~counties~~ county departments under s. 46.215, 46.22, or 46.23 for subsidized guardianship payments under s. 48.623 (3) (a), for the cost of specialized services to children with high acuity needs in congregate care facilities under s. 48.48 (8x), for the cost of services to children with special needs who are under the guardianship of the department to prepare those children for adoption, and for the cost of postadoption services to children with special needs, for kinship care payments under s. 48.57 (3m) made on behalf of a juvenile who meets the criteria specified in s. 938.12 or is at risk of meeting that criteria, for assessments to determine eligibility for those payments, and for kinship care payments made on behalf of a juvenile who meets the criteria specified in s. 938.12 or is at risk of meeting that criteria under an agreement with a governing body of an Indian tribe under s. 48.57 (3t) for the administration of the kinship care programs within the boundaries of that tribe.

**SECTION 8.** 20.437 (1) (kp) of the statutes is created to read:

20.437 (1) (kp) *Youth aids funding for the youth justice system improvement program.* All moneys transferred from the appropriation account under par. (cj), as provided under s. 48.526 (3) (e), for the youth justice system improvement program under s. 48.528.

**SECTION 9.** 20.437 (1) (mx) of the statutes is amended to read:

20.437 (1) (mx) *Federal aid; Milwaukee child welfare services aids.* All federal moneys received for providing services to children and families under s. 48.48 (17), to carry out the purposes for which received and for the cost of subsidized guardianship payments under s. 48.623 ~~(4)~~ (1r) or (6).

**SECTION 10.** 20.437 (1) (pd) of the statutes is amended to read:

20.437 (1) (pd) *Federal aid; state out-of-home care, adoption services, and subsidized guardianships.* All federal moneys received for meeting the costs of providing foster care, institutional child care, and subsidized adoptions under ss. 48.48 (12) and 48.52, the cost of care for children under s. 49.19 (10) (d), the cost of placements of children 18 years of age or over in residential care centers for children and youth under voluntary agreements under s. 48.366 (3) or under orders that terminate as provided in s. 48.355 (4) (b) 4., 48.357 (6) (a) 4., or 48.365 (5) (b) 4., the cost of reimbursing ~~counties~~ county departments under s. 46.215, 46.22, or 46.23 and Indian tribes for subsidized guardianship payments under s. 48.623 (3) (a), the cost of specialized services to children with high acuity needs in congregate care facilities under s. 48.48 (8x), the cost of services to children with special needs who are under the guardianship of the department to prepare those children for adoption, and the cost of postadoption services to children with special needs, and for kinship care payments under s. 48.57 (3m) made on behalf of a juvenile who meets the criteria specified in s. 938.12 or is at risk of meeting that criteria, for assessments to determine eligibility for those payments, and for kinship care payments made on behalf of a juvenile who meets the criteria specified in s. 938.12 or is at risk of meeting that criteria under an agreement with a governing body of an Indian tribe under s. 48.57 (3t) for the administration of the kinship care programs within the boundaries of that tribe. Disbursements for foster care under s. 49.32 (2) and for the purposes described under s. 48.627 may be made from this appropriation.

**SECTION 11.** 20.437 (2) (bp) of the statutes is created to read:

20.437 (2) (bp) *Child care access program.* The amounts in the schedule for the program under s. 49.1335.

**SECTION 12.** 20.437 (2) (c) of the statutes is created to read:

20.437 (2) (c) *Child care quality improvement program.* The amounts in the schedule for the program under s. 49.133.

**SECTION 13.** 20.437 (2) (d) of the statutes is created to read:

20.437 (2) (d) *Child care partnership grant program.* The amounts in the schedule for the grants under s. 49.132.

**SECTION 14.** 20.437 (2) (ej) of the statutes is created to read:

20.437 (2) (ej) *Child care water safety grant program.* As a continuing appropriation, the amounts in the schedule for the grants under s. 49.1337.

**SECTION 15.** 20.437 (2) (fg) of the statutes is created to read:

20.437 (2) (fg) *Grants for out-of-school time programs.* The amounts in the schedule for grants to out-of-school time programs under s. 48.483.

**SECTION 16.** 20.437 (2) (fn) of the statutes is created to read:

20.437 (2) (fn) *Expanded Transform Milwaukee Jobs program and Transitional Jobs program.* The amounts in the schedule for the program under s. 49.1632.

**SECTION 17.** 20.437 (2) (r) of the statutes is amended to read:

20.437 (2) (r) *Support receipt and disbursement program; payments.* From the support collections trust fund, except as provided in par. (qm), all moneys received under s. 49.854, except for moneys received under s. 49.854 (11) (b), all moneys received under ss. 767.57 and 767.75 for child or family support, maintenance, spousal support, health care expenses, or birth expenses, all other

moneys received under judgments or orders in actions affecting the family, as defined in s. 767.001 (1), and all moneys received under s. 49.855 (4) from the department of revenue or the department of administration that were withheld by the department of revenue or the internal revenue service for delinquent child support, family support, or maintenance or outstanding court-ordered amounts for past support, medical expenses, or birth expenses, for disbursement to the persons for whom the payments are awarded, and, if assigned under s. 48.57 (3m) (b) 2. or (3n) (b) 2., ~~48.645 (3)~~, 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm), for transfer to the appropriation account under par. (k). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

**SECTION 18.** 46.10 (1) of the statutes is amended to read:

46.10 (1) Liability and the collection and enforcement of such liability for the care, maintenance, services, and supplies specified in this section is governed exclusively by this section, except in cases of child support ordered by a court under s. 48.355 ~~(2) (b) 4. or (4g) (a), 48.357 (5m) (a), or 48.363 (2) or ch. 767 or s. 48.355 (2) (b) 4., 2023 stats., or s. 48.357 (5m) (a), 2023 stats.~~

**SECTION 19.** 46.10 (14) (e) 1. of the statutes is amended to read:

46.10 (14) (e) 1. An order issued under s. 48.355 ~~(2) (b) 4. or (4g) (a), 48.357 (5m) (a), or 48.363 (2) or s. 48.355 (2) (b) 4., 2023 stats., or s. 48.357 (5m) (a), 2023 stats.,~~ for support determined under this subsection constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, income continuation insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108, and other money due or to be due in the future to the county department under s. 46.22 or 46.23 in the county where the order was entered or to

the department, depending upon the placement of the child as specified by rules promulgated under subd. 5. The assignment shall be for an amount sufficient to ensure payment under the order.

**SECTION 20.** 48.233 (2) of the statutes is amended to read:

48.233 (2) This section does not apply to a proceeding commenced on or after June 2025 January 1, 2027 under s. 48.13.

**SECTION 21.** 48.233 (3) of the statutes is amended to read:

48.233 (3) The state public defender may promulgate rules necessary to implement the pilot program established under sub. (1). The state public defender may promulgate the rules under this subsection as emergency rules under s. 227.24. Notwithstanding s. 227.24 (1) (a) and (3), the state public defender is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until ~~four~~ years after ~~June 30, 2021~~ January 1, 2027.

**SECTION 22.** 48.233 (4) of the statutes is amended to read:

48.233 (4) By January 1, ~~2025~~ 2027, the department and the state public defender shall each submit a report to the joint committee on finance, and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3), regarding costs and data from implementing the pilot program under sub. (1).

**SECTION 23.** 48.33 (4) (b) of the statutes is repealed.



**SECTION 24.** 48.33 (4m) of the statutes is repealed.

**SECTION 25.** 48.335 (3r) of the statutes is repealed.

**SECTION 26.** 48.355 (2) (b) 4. of the statutes is repealed.

**SECTION 27.** 48.357 (5m) of the statutes is repealed.

**SECTION 28.** 48.36 (4) of the statutes is created to read:

48.36 (4) (a) The county department or the department may, based on criteria established by the department by rule, refer to the attorney responsible for support enforcement under s. 59.53 (6) (a) the name of the parent or parents of a child for whom an out-of-home care placement has been ordered under s. 48.355 or 48.357.

(b) The department shall promulgate rules establishing criteria for when it is appropriate for a child support referral to be made under par. (a).

**SECTION 29.** 48.363 (2) of the statutes is amended to read:

48.363 (2) If the court revises a dispositional order entered prior to July 1, 2026, with respect to the amount of child support to be paid by a parent for the care and maintenance of the parent's minor child who has been placed by a court order under this chapter in a residential, nonmedical facility, the court shall determine the liability of the parent in the manner provided in s. 49.345 (14).

**SECTION 30.** 48.38 (2) (f) of the statutes is amended to read:

48.38 (2) (f) The child's care would be paid for under s. 49.19 but for s. 49.19 (20), except that this paragraph does not apply to a child whose care is being paid for under s. 48.623 ~~(1)~~ (1r).

**SECTION 31.** 48.38 (4) (j) (intro.) of the statutes is amended to read:

48.38 (4) (j) (intro.) If the child is placed in the home of a relative or other

person described in s. 48.623 ~~(1)~~ (1r) (b) 1. who will be receiving subsidized guardianship payments, a description of all of the following:

**SECTION 32.** 48.38 (4) (j) 3. of the statutes is amended to read:

48.38 (4) (j) 3. The reasons why a permanent placement with a fit and willing relative or other person described in s. 48.623 ~~(1)~~ (1r) (b) 1. through a subsidized guardianship arrangement is in the best interests of the child. In the case of an Indian child, the best interests of the Indian child shall be determined in accordance with s. 48.01 (2).

**SECTION 33.** 48.38 (4) (j) 4. of the statutes is amended to read:

48.38 (4) (j) 4. The ways in which the child and the relative or other person described in s. 48.623 ~~(1)~~ (1r) (b) 1. meet the eligibility requirements specified in s. 48.623 ~~(1)~~ (1r) for the receipt of subsidized guardianship payments.

**SECTION 34.** 48.38 (4) (j) 5. of the statutes is amended to read:

48.38 (4) (j) 5. The efforts the agency has made to discuss adoption of the child by the relative or other person described in s. 48.623 ~~(1)~~ (1r) (b) 1. as a more permanent alternative to guardianship and, if that relative or other person has chosen not to pursue adoption, documentation of the reasons for not pursuing adoption.

**SECTION 35.** 48.48 (8p) of the statutes is amended to read:

48.48 **(8p)** To reimburse tribes and county departments, from the ~~appropriation~~ appropriations under s. 20.437 (1) (bn) and (kz), for unexpected or unusually high-cost out-of-home care placements of Indian children by tribal courts, other than placements to which s. 938.485 (4) applies. In this subsection, “unusually high-cost out-of-home care placements” means the amount by which the

cost to a tribe or to a county department of out-of-home care placements of Indian children by tribal courts, other than placements to which s. 938.485 (4) applies, exceeds \$50,000 in a fiscal year.

**SECTION 36.** 48.48 (8r) of the statutes is amended to read:

48.48 (8r) To reimburse county departments, the county department under s. 46.215, and Indian tribes, from the appropriations under s. 20.437 (1) (dd), (kL), and (pd), for subsidized guardianship payments made under s. 48.623 (4) (1r) or (6), including guardianships of children ordered by tribal courts.

**SECTION 37.** 48.48 (8x) of the statutes is created to read:

48.48 (8x) To pay for specialized services to children with high acuity needs in congregate care facilities, as defined under s. 48.685 (1) (ao), from the appropriations under s. 20.437 (1) (dd) and (pd).

**SECTION 38.** 48.481 (title) of the statutes is amended to read:

**48.481** (title) ~~Grants for children's community~~ Youth support programs.

**SECTION 39.** 48.481 (2) of the statutes is renumbered 48.481 (2) (b) and amended to read:

48.481 (2) (b) ~~The~~ From the appropriation under s. 20.437 (1) (bc), the department shall distribute ~~at least \$231,700 in each fiscal year~~ funds for the purpose of assisting any of the following individuals who attain, if the individual is under the age of 23, to make the transition from out-of-home care to a successful adulthood:

1. An individual who attained the age of 18 while residing in ~~a foster home, group home, or residential care center for children and youth, in the home of a~~

~~relative other than a parent, or in a supervised independent living arrangement to make the transition from out-of-home care to a successful adulthood~~ out-of-home care.

(c) Public or private agencies or organizations are eligible for funding under this subsection. No county department or Indian tribe may use funds provided under this subsection to replace funds previously used by the county department or Indian tribe for this purpose.

**SECTION 40.** 48.481 (2) (a) of the statutes is created to read:

48.481 (2) (a) In this subsection, “out-of-home care” means the placement and care of a child by the department, a county department, or a tribal child welfare agency in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, in the home of a person who is not a relative or like-kin, or in a supervised independent living arrangement.

**SECTION 41.** 48.481 (2) (b) 2. of the statutes is created to read:

48.481 (2) (b) 2. An individual who resided in out-of-home care for at least 6 months after his or her 16th birthday.

**SECTION 42.** 48.481 (2) (b) 3. of the statutes is created to read:

48.481 (2) (b) 3. An individual who was placed under a guardianship under s. 48.977 on or after his or her 16th birthday.

**SECTION 43.** 48.481 (2) (b) 4. of the statutes is created to read:

48.481 (2) (b) 4. An individual who was adopted on or after his or her 16th birthday following time spent in out-of-home care.

**SECTION 44.** 48.483 of the statutes is created to read:

**48.483 Grants for out-of-school time programs.** (1) In this section, “out-of-school time program” means a structured program or activity that meets all of the following conditions:

(a) To the extent practicable, the program or activity is led by adult mentors using evidence-based or evidence-informed practices and is provided to school-age children before school, after school, or during the summer.

(b) The program or activity does not supplant instructional services provided by a school or result in academic credit for students.

(c) The program or activity relates to one or more of the following topics:

1. Improving social, emotional, academic, or career readiness competencies.
2. Reducing negative behaviors, including violence and crime, tobacco use, alcohol and substance abuse, disengagement from school, school suspension, truancy, and health-compromising behaviors.

3. Providing a safe out-of-school time environment.

4. Engaging in career exploration or formal or informal work-based learning.

(2) From the appropriation under s. 20.437 (2) (fg), the department shall award grants to out-of-school time programs for the purpose of expanding opportunities for school-age children.

(3) The department shall promulgate rules to implement this section.

**SECTION 45.** 48.487 (1m) of the statutes is amended to read:

48.487 (1m) TRIBAL FAMILY SERVICES GRANTS. From the ~~appropriation account~~ appropriations under s. 20.437 (1) (bd) and (js), the department may distribute tribal family services grants to the elected governing bodies of the Indian

tribes in this state. An elected governing body that receives a grant under this subsection may expend the grant moneys received for any of the purposes specified in subs. (2), (3) (b), (4m) (b), (5) (b), (6), and (7) as determined by that body.

**SECTION 46.** 48.49 of the statutes is created to read:

**48.49 Benefits eligibility screening.** (1) The department and each county department shall periodically screen each child under the placement and care of the department or county department under this chapter or ch. 938, other than children placed with kinship care providers receiving payments under s. 48.57 (3m) or (3n), to determine whether the child is eligible for federal or state benefits.

(2) If a child in out-of-home care is found to be eligible for federal or state benefits under sub. (1), the department or county department shall do all the following:

(a) Apply for the benefits on behalf of the child following the procedures established by the department by rule, unless doing so would be contrary to the best interest of the child.

(b) Ensure that the child, the child's attorney or guardian ad litem, and the child's parent, guardian, or Indian custodian receive proper and timely notice of any application for benefits, the results of an application for benefits, and any appeal of a denial of benefits that could be or is filed on behalf of the child.

(c) Provide the child with training covering financial literacy and maintaining benefit eligibility prior to the child aging out of out-of-home care.

(3) If the department or county department is appointed as representative payee for a child in out-of-home care who receives benefits under sub. (2), the department or county department shall do all the following:

(a) Consistent with the best interests of the child, conserve the child's benefits in protected accounts that avoid asset limitations for federal and state programs.

(b) Provide a periodic accounting to the child, the child's attorney or guardian ad litem, and the child's parent, guardian, or Indian custodian regarding the conservation and use of the child's benefits while the child is in the department or county department's care.

(c) Work with the child and the appropriate federal agency to return remaining funds to the child or another fiduciary once the child exits out-of-home care.

(4) The department may take any necessary steps to facilitate statewide compliance with this section.

(5) The department or a county department may contract with a public or private agency to fulfill the requirements of this section. The department may contract with a public or private agency to fulfill the requirements of this section on behalf of a county department.

(6) State or federal benefits received by the department or a county department on behalf of a child may not be used by the department or a county department to pay for the costs of caring for the child in out-of-home care. The department or a county department may use the child's federal benefits for the child's unmet needs beyond what the agency is obligated to, is required to, or has agreed to provide as permitted by rules promulgated under sub. (7).

(7) The department shall promulgate rules to implement this section.

**SECTION 47.** 48.526 (3) (e) of the statutes is amended to read:

48.526 (3) (e) The department may ~~carry forward \$500,000 or~~ transfer to the

appropriation account under s. 20.437 (1) (kp) 10 percent of its funds allocated under this subsection and not ~~encumbered~~ expended or carried forward under par. (dm) by counties by December 31, whichever is greater, to the next 2 calendar years. ~~The department may transfer moneys from or within s. 20.437 (1) (cj) or (q) to accomplish this purpose. The department may allocate these transferred moneys to counties with persistently high rates of juvenile arrests for serious offenses during the next 2 calendar years to improve community-based juvenile delinquency-related services, as defined in s. 46.011 (1e). The allocation does not affect a county's base allocation.~~

**SECTION 48.** 48.526 (3) (em) of the statutes is repealed.

**SECTION 49.** 48.526 (7) (intro.) of the statutes is amended to read:

48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of the appropriations under s. 20.437 (1) (cj), (o), and (q), the department shall allocate funds for community youth and family aids for the period beginning on July 1, ~~2021~~ 2025, and ending on June 30, ~~2023~~ and for the 2023 fiscal biennium 2027, as provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

**SECTION 50.** 48.526 (7) (a) of the statutes is amended to read:

48.526 (7) (a) For community youth and family aids under this section, amounts not to exceed ~~\$47,740,750~~ \$48,089,350 for the last 6 months of ~~2023~~, ~~\$95,481,500~~ 2025, \$101,138,500 for ~~2024~~ 2026, and ~~\$47,740,750~~ \$51,610,850 for the first 6 months of ~~2025~~ 2027.

**SECTION 51.** 48.526 (7) (b) (intro.) of the statutes is amended to read:

48.526 (7) (b) (intro.) Of the amounts specified in par. (a), the department



shall allocate \$2,000,000 for the last 6 months of ~~2023~~ 2025, \$4,000,000 for ~~2024~~ 2026, and \$2,000,000 for the first 6 months of ~~2025~~ 2027 to counties based on each of the following factors weighted equally:

**SECTION 52.** 48.526 (7) (bm) of the statutes is amended to read:

48.526 (7) (bm) Of the amounts specified in par. (a), the department shall allocate \$6,250,000 for the last 6 months of ~~2023~~ 2025, \$12,500,000 for ~~2024~~ 2026, and \$6,250,000 for the first 6 months of ~~2025~~ 2027 to counties based on each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional facility or a secured residential care center for children and youth during the most recent 3-year period for which that information is available.

**SECTION 53.** 48.526 (7) (c) of the statutes is amended to read:

48.526 (7) (c) Of the amounts specified in par. (a), the department shall allocate \$1,053,200 for the last 6 months of ~~2023~~ 2025, \$2,106,500 for ~~2024~~ 2026, and \$1,053,300 for the first 6 months of ~~2025~~ 2027 to counties based on each of the factors specified in par. (b) 1. to 3. weighted equally, except that no county may receive an allocation under this paragraph that is less than 93 percent nor more than 115 percent of the amount that the county would have received under this paragraph if the allocation had been distributed only on the basis of the factor specified in par. (b) 3.

**SECTION 54.** 48.526 (7) (e) of the statutes is repealed.

**SECTION 55.** 48.526 (7) (h) of the statutes is repealed.

**SECTION 56.** 48.526 (8) of the statutes is repealed.

**SECTION 57.** 48.528 of the statutes is repealed and recreated to read:

**48.528 Youth justice system improvement program.** From the

appropriations under s. 20.437 (1) (cm) and (kp), in each fiscal year, the department may expend funds for the following purposes:

(1) To fund programs that enhance diversion, prevention, or early intervention to reduce the number of justice-involved youth, as well as programs that promote successful outcomes for all justice-involved youth. To determine eligibility for a payment under this subsection, the department shall require a county or other provider to submit a plan for the expenditure of the payment.

(2) To address emergencies related to community youth and family aids under s. 48.526.

(3) To fund activities required of the department under s. 48.526 (1).

**SECTION 58.** 48.563 (2) of the statutes is amended to read:

48.563 (2) COUNTY ALLOCATION. For children and family services under s. 48.569 (1) (d), the department shall distribute not more than ~~\$101,154,200~~ \$104,969,500 in fiscal year ~~2021-22~~ 2025-26 and ~~\$101,162,800~~ \$110,869,200 in fiscal year ~~2022-23~~. ~~In fiscal year 2023-24, the department shall distribute \$101,551,400. In fiscal year 2024-25, the department shall distribute \$101,939,600~~ 2026-27.

**SECTION 59.** 48.57 (3m) (a) 1m. of the statutes is created to read:

48.57 (3m) (a) 1m. "County department" means a county department under s. 46.215, 46.22, or 46.23.

**SECTION 60.** 48.57 (3m) (am) (intro.) of the statutes, as affected by 2023 Wisconsin Act 119, is amended to read:

48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (1) (dd) and (2) (dz), (md), (me), and (s), the department shall reimburse counties having

populations of less than 750,000 for payments made under this subsection ~~and shall make payments under this subsection in a county having a population of 750,000 or more.~~ In a county having a population of 750,000 or more, the department shall make payments under this subsection or shall reimburse a county department for payments made under this subsection from the appropriations under s. 20.437 (1) (dd) and (pd). Subject to par. (ap), and if all of the following conditions are met, beginning on January 1, 2026, a county department and, in a county having a population of 750,000 or more, the department or a county department shall make monthly payments per month to a kinship care provider who is providing care and maintenance for a child in the amount of ~~\$375 beginning on January 1, 2024, to a kinship care provider who is providing care and maintenance for a child if all of the following conditions are met~~ \$463 for a child under 5 years of age; \$507 for a child 5 to 11 years of age; \$575 for a child 12 to 14 years of age; and \$601 for a child 15 years of age or over:

**SECTION 61.** 48.57 (3m) (am) 2. of the statutes is renumbered 48.57 (3m) (am) 2. (intro.) and amended to read:

48.57 **(3m)** (am) 2. (intro.) The county department or department determines that the child meets one or more of the following conditions:

a. The child meets one or more of the criteria specified in s. 48.13, ~~938.12,~~ or 938.13, ~~that the~~.

b. The child would be at risk of meeting one or more of ~~those~~ the criteria specified in s. 48.13 or 938.13 if the child were to remain in his or her home ~~or, if,~~

c. If the child is 18 years of age or over, that the child would meet or be at risk of meeting one or more of these ~~the~~ criteria as specified in this subdivision in s. 48.13 or 938.13 if the child were under 18 years of age.

**SECTION 62.** 48.57 (3m) (am) 4m. of the statutes is amended to read:

48.57 **(3m)** (am) 4m. Subject to sub. (3p) (fm) 1. and 2., the kinship care provider states that he or she does not have any arrests or convictions that could adversely affect the child or the kinship care provider's ability to care for the child and that no adult resident, as defined in sub. (3p) (a) 1., and no employee or prospective employee of the kinship care provider who would have regular contact with the child has any arrests or convictions that could adversely affect the child or the kinship care provider's ability to care for the child.

**SECTION 63.** 48.57 (3m) (an) of the statutes is created to read:

48.57 **(3m)** (an) In addition to the monthly payments for kinship care under par. (am), the department or the county department may make payments for exceptional circumstances to enable siblings or a minor parent and minor children to reside together and for initial clothing allowances to a kinship care provider who is providing care and maintenance for a child residing in the home of the kinship care provider who is receiving a monthly rate under par. (am), commensurate with the needs of the child, according to the rules promulgated by the department under par. (i) 3.

**SECTION 64.** 48.57 (3m) (ap) 1. of the statutes is amended to read:

48.57 **(3m)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a county having a population of 750,000 or more, the department or the county department may make payments under par. (am) to a kinship care provider who is

providing care and maintenance for a child who is placed in the home of the kinship care provider under a court order for no more than 60 days after the date on which the county department or department received under par. (am) 1. the completed application of the kinship care provider for a license to operate a foster home or, if the application is approved or denied or the kinship care provider is otherwise determined to be ineligible for licensure within those 60 days, until the date on which the application is approved or denied or the kinship care provider is otherwise determined to be ineligible for licensure.

**SECTION 65.** 48.57 (3m) (ap) 3. of the statutes is amended to read:

48.57 (3m) (ap) 3. Notwithstanding that an application of a kinship care provider specified in subd. 1. is denied or the kinship care provider is otherwise determined to be ineligible for licensure, the county department or, in a county having a population of 750,000 or more, the department or the county department may make payments under par. (am) to the kinship care provider for as long as the conditions specified in par. (am) 1. to 6. continue to apply if the county department or department submits to the court information relating to the background investigation specified in par. (am) 4., an assessment of the safety of the kinship care provider's home and the ability of the kinship care provider to care for the child, and a recommendation that the child remain in the home of the kinship care provider and the court, after considering that information, assessment, and recommendation, orders the child to remain in the kinship care provider's home. If the court does not order the child to remain in the kinship care provider's home, the court shall order the county department or department to request a change in

placement under s. 48.357 (1) (am) or 938.357 (1) (am). Any person specified in s. 48.357 (2m) (a) or 938.357 (2m) (a) may also request a change in placement.

**SECTION 66.** 48.57 (3m) (ar) and (at) of the statutes are created to read:

48.57 **(3m)** (ar) In addition to the monthly payments for kinship care under par. (ap), the department or, with the department's approval, the county department may make emergency payments for kinship care to kinship care providers who are providing care and maintenance for children residing in the home of kinship care providers under a court order if any of the following conditions are met:

1. The governor has declared a state of emergency pursuant to s. 323.10, or the federal government has declared a major disaster under 42 USC 68, that covers the locality of the home of the kinship care provider.

2. This state has received federal funding to be used for child welfare purposes due to an emergency or disaster declared for the locality of the home of the kinship care provider.

3. The department has determined that conditions in this state or in the locality of the home of the kinship care provider have resulted in a temporary increase in the costs borne by kinship care providers. Those conditions may include any of the following:

- a. A pandemic or other public health threat.
- b. A natural disaster.
- c. Unplanned school closures of 5 consecutive days or more.

(at) The department shall determine the amount of emergency payments under par. (ar) based on available funding.

**SECTION 67.** 48.57 (3m) (b) 1. of the statutes is amended to read:

48.57 **(3m)** (b) 1. The county department or, in a county having a population of 750,000 or more, the department or a county department if the county department is making the payments shall refer to the attorney responsible for support enforcement under s. 59.53 (6) (a) the name of the parent or parents of a child for whom a payment is made under par. (am). This subdivision does not apply to a child 18 years of age or over for whom a payment is made under par. (am).

**SECTION 68.** 48.57 (3m) (c) of the statutes is amended to read:

48.57 **(3m)** (c) The county department or, in a county having a population of 750,000 or more, the department or a county department if the county department is making the payments shall require the parent or parents of a child for whom a payment is made under par. (am) to initiate or continue health care insurance coverage for the child.

**SECTION 69.** 48.57 (3m) (cm) of the statutes is amended to read:

48.57 **(3m)** (cm) A kinship care provider who receives a payment under par. (am) for providing care and maintenance for a child is not eligible to receive a payment under sub. (3n) or s. 48.62 (4) or 48.623 ~~(1)~~ (1r) or (6) for that child.

**SECTION 70.** 48.57 (3m) (d) of the statutes is amended to read:

48.57 **(3m)** (d) A county department or, in a county having a population of 750,000 or more, the department or a county department if the county department is making the payments shall review a placement of a child for which the county department or department makes payments under par. (am) not less than every 12

months after the county department or department begins making those payments to determine whether the conditions specified in par. (am) continue to exist. If those conditions do not continue to exist, the county department or department shall discontinue making those payments.

**SECTION 71.** 48.57 (3m) (g) 2. (intro.) of the statutes is amended to read:

48.57 (3m) (g) 2. (intro.) If a recipient requests a hearing within 10 days after the date of notice that his or her payments under par. (am) are being discontinued, those payments may not be discontinued until a decision is rendered after the hearing but payments made pending the hearing decision may be recovered by the department if the contested action or failure to act is upheld. The department shall promptly notify the county department of the county in which the recipient resides or, if the recipient resides in a county having a population of 750,000 or more, the subunit of the department administering of the kinship care program in that county or the county department that the recipient has requested a hearing. Payments under par. (am) shall be discontinued if any of the following applies:

**SECTION 72.** 48.57 (3m) (h) of the statutes is amended to read:

48.57 (3m) (h) A county department or, in a county having a population of 750,000 or more, the department or a county department may recover an overpayment made under par. (am) from a kinship care provider who continues to receive payments under par. (am) by reducing the amount of the kinship care provider's monthly payment. The department may by rule specify other methods for recovering overpayments made under par. (am). A county department that recovers an overpayment under this paragraph due to the efforts of its officers and



employees may retain a portion of the amount recovered, as provided by the department by rule.

**SECTION 73.** 48.57 (3m) (i) 3. of the statutes is created to read:

48.57 (3m) (i) 3. Rules governing the provision of payments for exceptional circumstances to enable siblings or a minor parent and minor children to reside together and for initial clothing allowances for a child residing in the home of a kinship care provider who is receiving a monthly rate under par. (am).

**SECTION 74.** 48.57 (3m) (j) of the statutes is created to read:

48.57 (3m) (j) The department may promulgate rules governing the provision of emergency payments under par. (ar).

**SECTION 75.** 48.57 (3n) (a) 1m. of the statutes is created to read:

48.57 (3n) (a) 1m. "County department" means a county department under s. 46.215, 46.22, or 46.23.

**SECTION 76.** 48.57 (3n) (am) (intro.) of the statutes, as affected by 2023 Wisconsin Act 119, is amended to read:

48.57 (3n) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md), (me), and (s), the department shall reimburse counties having populations of less than 750,000 for payments made under this subsection ~~and shall make payments under this subsection in a county having a population of 750,000 or more.~~ In a county having a population of 750,000 or more, the department shall make payments under this subsection or shall reimburse a county department for payments made under this subsection from the appropriations under s. 20.437 (1) (dd) and (pd). Subject to par. (ap), and if all of the following conditions are met, beginning on January 1, 2026, a county department and, in a county having a

population of 750,000 or more, the department or a county department shall make monthly payments to a long-term kinship care provider who is providing care and maintenance for each a child per month in the amount of ~~\$375 beginning on January 1, 2024, to a long term kinship care provider who is providing care and maintenance for that child if all of the following conditions are met~~ \$463 for a child under 5 years of age; \$507 for a child 5 to 11 years of age; \$557 for a child 12 to 14 years of age; and \$601 for a child 15 years of age or over:

**SECTION 77.** 48.57 (3n) (am) 4. of the statutes is amended to read:

48.57 **(3n)** (am) 4. The county department or department conducts a background investigation under sub. (3p) of the long-term kinship care provider, the employees and prospective employees of the long-term kinship care provider who have or would have regular contact with the child for whom the payments would be made and any other adult resident, as defined in sub. (3p) (a) 1., of the long-term kinship care provider's home to determine if the long-term kinship care provider, employee, prospective employee or adult resident has any arrests or convictions that are likely to adversely affect the child or the long-term kinship care provider's ability to care for the child.

**SECTION 78.** 48.57 (3n) (am) 4m. of the statutes is amended to read:

48.57 **(3n)** (am) 4m. Subject to sub. (3p) (fm) 1m. and 2m., the long-term kinship care provider states that he or she does not have any arrests or convictions that could adversely affect the child or the long-term kinship care provider's ability to care for the child and that, to the best of the long-term kinship care provider's knowledge, no adult resident, as defined in sub. (3p) (a) 1., and no employee or prospective employee of the long-term kinship care provider who would have

regular contact with the child has any arrests or convictions that could adversely affect the child or the long-term kinship care provider's ability to care for the child.

**SECTION 79.** 48.57 (3n) (an) of the statutes is created to read:

48.57 **(3n)** (an) In addition to the monthly payments for long-term kinship care under par. (am), the department or the county department may make payments for exceptional circumstances to enable siblings or a minor parent and minor children to reside together and for initial clothing allowances to a long-term kinship care provider who is providing care and maintenance for a child residing in the home of the long-term kinship care provider who is receiving a monthly rate under par. (am), commensurate with the needs of the child, according to the rules promulgated by the department under par. (i) 2.

**SECTION 80.** 48.57 (3n) (ap) 1. of the statutes is amended to read:

48.57 **(3n)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a county having a population of 750,000 or more, the department or the county department may make payments under par. (am) to a long-term kinship care provider who is providing care and maintenance for a child who is placed in the home of the long-term kinship care provider for no more than 60 days after the date on which the county department or department received under par. (am) 1. the completed application of the long-term kinship care provider for a license to operate a foster home or, if the application is approved or denied or the long-term kinship care provider is otherwise determined to be ineligible for licensure within those 60 days, until the date on which the application is approved or denied or the long-term kinship care provider is otherwise determined to be ineligible for licensure.

**SECTION 81.** 48.57 (3n) (ap) 3. of the statutes is amended to read:

48.57 (3n) (ap) 3. Notwithstanding that an application of a long-term kinship care provider specified in subd. 1. is denied or the long-term kinship care provider is otherwise determined to be ineligible for licensure, the county department or, in a county having a population of 750,000 or more, the department or the county department may make payments under par. (am) to the long-term kinship care provider until an event specified in par. (am) 6. a. to f. occurs if the county department or department submits to the court information relating to the background investigation specified in par. (am) 4., an assessment of the safety of the long-term kinship care provider's home and the ability of the long-term kinship care provider to care for the child, and a recommendation that the child remain in the home of the long-term kinship care provider and the court, after considering that information, assessment, and recommendation, orders the child to remain in the long-term kinship care provider's home. If the court does not order the child to remain in the kinship care provider's home, the court shall order the county department or department to request a change in placement under s. 48.357 (1) (am) or 938.357 (1) (am) or to request a termination of the guardianship order under s. 48.977 (7). Any person specified in s. 48.357 (2m) (a) or 938.357 (2m) (a) may also request a change in placement and any person who is authorized to file a petition for the appointment of a guardian for the child may also request a termination of the guardianship order.

**SECTION 82.** 48.57 (3n) (b) 1. of the statutes is amended to read:

48.57 (3n) (b) 1. The county department or, in a county having a population of 750,000 or more, the department or a county department if the county department is making the payments shall refer to the attorney responsible for support

enforcement under s. 59.53 (6) (a) the name of the parent or parents of a child for whom a payment is made under par. (am). This subdivision does not apply to a child 18 years of age or over for whom a payment is made under par. (am).

**SECTION 83.** 48.57 (3n) (c) of the statutes is amended to read:

48.57 (3n) (c) The county department or, in a county having a population of 750,000 or more, the department or a county department if the county department is making the payments shall require the parent or parents of a child for whom a payment is made under par. (am) to initiate or continue health care insurance coverage for the child.

**SECTION 84.** 48.57 (3n) (cm) of the statutes is amended to read:

48.57 (3n) (cm) A long-term kinship care provider who receives a payment under par. (am) for providing care and maintenance for a child is not eligible to receive a payment under sub. (3m) or s. 48.62 (4) or 48.623 ~~(4)~~ (1r) or (6) for that child.

**SECTION 85.** 48.57 (3n) (d) of the statutes is amended to read:

48.57 (3n) (d) The county department or, in a county having a population of 750,000 or more, the department or a county department if the county department is making the payments shall, at least once every 12 months after the county department or department begins making payments under this subsection, determine whether any of the events specified in par. (am) 6. a. to f. have occurred. If any such events have occurred, the county department or department shall discontinue making those payments.

**SECTION 86.** 48.57 (3n) (g) 2. (intro.) of the statutes is amended to read:

48.57 (3n) (g) 2. (intro.) If a recipient requests a hearing within 10 days after the date of notice that his or her payments under par. (am) are being discontinued, those payments may not be discontinued until a decision is rendered after the hearing but payments made pending the hearing decision may be recovered by the department if the contested action or failure to act is upheld. The department shall promptly notify the county department of the county in which the recipient resides or, if the recipient resides in a county having a population of 750,000 or more, the subunit of the department administering of the long-term kinship care program in that county or the county department that the recipient has requested a hearing. Payments under par. (am) shall be discontinued if any of the following applies:

**SECTION 87.** 48.57 (3n) (h) of the statutes is amended to read:

48.57 (3n) (h) A county department or, in a county having a population of 750,000 or more, the department or a county department may recover an overpayment made under par. (am) from a long-term kinship care provider who continues to receive payments under par. (am) by reducing the amount of the long-term kinship care provider's monthly payment. The department may by rule specify other methods for recovering overpayments made under par. (am). A county department that recovers an overpayment under this paragraph due to the efforts of its officers and employees may retain a portion of the amount recovered, as provided by the department by rule.

**SECTION 88.** 48.57 (3n) (i) of the statutes is renumbered 48.57 (3n) (i) (intro.) and amended to read:

48.57 (3n) (i) (intro.) The department shall promulgate rules to implement this subsection. Those rules shall include ~~rules~~ all of the following:

1. Rules governing the provision of long-term kinship care payments for the care and maintenance of a child after the child attains 18 years of age.

**SECTION 89.** 48.57 (3n) (i) 2. of the statutes is created to read:

48.57 **(3n)** (i) 2. Rules governing the provision of payments for exceptional circumstances to enable siblings or a minor parent and minor children to reside together and for initial clothing allowances for children residing in a home of a long-term kinship care provider who is receiving a monthly rate under par. (am).

**SECTION 90.** 48.57 (3p) (a) of the statutes is renumbered 48.57 (3p) (a) (intro.) and amended to read:

48.57 **(3p)** (a) (intro.) In this subsection, ~~“adult:~~

1. “Adult resident” means a person 18 years of age or over who lives at the home of a person who has applied for or is receiving payments under sub. (3m) or (3n) with the intent of making that home his or her home or who lives for more than 30 days cumulative in any 6-month period at the home of a person who has applied for or is receiving payments under sub. (3m) or (3n).

**SECTION 91.** 48.57 (3p) (a) 2. of the statutes is created to read:

48.57 **(3p)** (a) 2. “County department” means a county department under s. 46.215, 46.22, 46.23.

**SECTION 92.** 48.57 (3p) (b) 1. of the statutes is amended to read:

48.57 **(3p)** (b) 1. After receipt of an application for payments under sub. (3m) or (3n), the county department or, in a county having a population of 750,000 or more, the department or the county department, with the assistance of the department of justice, shall conduct a background investigation of the applicant.

**SECTION 93.** 48.57 (3p) (b) 2. of the statutes is amended to read:

48.57 (3p) (b) 2. The county department or, in a county having a population of 750,000 or more, the department or the county department, with the assistance of the department of justice, may conduct a background investigation of any person who is receiving payments under sub. (3m) at the time of review under sub. (3m) (d) or at any other time that the county department or department considers to be appropriate.

**SECTION 94.** 48.57 (3p) (b) 3. of the statutes is amended to read:

48.57 (3p) (b) 3. The county department or, in a county having a population of 750,000 or more, the department or the county department, with the assistance of the department of justice, may conduct a background investigation of any person who is receiving payments under sub. (3n) at any time that the county department or department considers to be appropriate.

**SECTION 95.** 48.57 (3p) (c) 1. of the statutes is amended to read:

48.57 (3p) (c) 1. After receipt of an application for payments under sub. (3m) or (3n), the county department or, in a county having a population of 750,000 or more, the department or the county department, with the assistance of the department of justice, shall, in addition to the investigation under par. (b) 1., conduct a background investigation of all employees and prospective employees of the applicant who have or would have regular contact with the child for whom those payments are being made and of each adult resident.

**SECTION 96.** 48.57 (3p) (c) 2. of the statutes is amended to read:

48.57 (3p) (c) 2. The county department or, in a county having a population of 750,000 or more, the department or the county department, with the assistance of the department of justice, may conduct a background investigation of any of the



employees or prospective employees of any person who is receiving payments under sub. (3m) who have or would have regular contact with the child for whom those payments are being made and of each adult resident at the time of review under sub. (3m) (d) or at any other time that the county department or department considers to be appropriate.

**SECTION 97.** 48.57 (3p) (c) 2m. of the statutes is amended to read:

48.57 **(3p)** (c) 2m. The county department or, in a county having a population of 750,000 or more, the department or the county department, with the assistance of the department of justice, may conduct a background investigation of any of the employees or prospective employees of any person who is receiving payments under sub. (3n) who have or would have regular contact with the child for whom payments are being made and of each adult resident at any time that the county department or department considers to be appropriate.

**SECTION 98.** 48.57 (3p) (c) 3. of the statutes is amended to read:

48.57 **(3p)** (c) 3. Before a person who is receiving payments under sub. (3m) or (3n) may employ any person in a position in which that person would have regular contact with the child for whom those payments are being made or permit any person to be an adult resident, the county department or, in a county having a population of 750,000 or more, the department or the county department, with the assistance of the department of justice, shall conduct a background investigation of the prospective employee or prospective adult resident unless that person has already been investigated under subd. 1., 2. or 2m.

**SECTION 99.** 48.57 (3p) (d) of the statutes is amended to read:

48.57 **(3p)** (d) If the person being investigated under par. (b) or (c) is a

nonresident, or at any time within the 5 years preceding the date of the application has been a nonresident, or if the county department or, in a county having a population of 750,000 or more, the department or the county department determines that the person's employment, licensing or state court records provide a reasonable basis for further investigation, the county department or department shall require the person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints, or by other technologies approved by law enforcement agencies. The department of justice may provide for the submission of the fingerprint cards or fingerprints by other technologies to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining records of his or her criminal arrest and conviction.

**SECTION 100.** 48.57 (3p) (e) (intro.) of the statutes is amended to read:

48.57 **(3p)** (e) (intro.) Upon request, a person being investigated under par. (b) or (c) shall provide the county department or, in a county having a population of 750,000 or more, the department or the county department with all of the following information:

**SECTION 101.** 48.57 (3p) (fm) 1. of the statutes is amended to read:

48.57 **(3p)** (fm) 1. The county department or, in a county having a population of 750,000 or more, the department or the county department may provisionally approve the making of payments under sub. (3m) based on the applicant's statement under sub. (3m) (am) 4m. The county department or department may not finally approve the making of payments under sub. (3m) unless the county department or department receives information from the department of justice indicating that the conviction record of the applicant under the law of this state is

satisfactory according to the criteria specified in par. (g) 1. to 3. or payment is approved under par. (h) 4. The county department or department may make payments under sub. (3m) conditioned on the receipt of information from the federal bureau of investigation indicating that the person's conviction record under the law of any other state or under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

**SECTION 102.** 48.57 (3p) (fm) 1m. of the statutes is amended to read:

48.57 **(3p)** (fm) 1m. The county department or, in a county having a population of 750,000 or more, the department or the county department may not enter into the agreement under sub. (3n) (am) 6. unless the county department or department receives information from the department of justice relating to the conviction record of the applicant under the law of this state and that record indicates either that the applicant has not been arrested or convicted or that the applicant has been arrested or convicted but the director of the county department or, in a county having a population of 750,000 or more, the director of the county department or the person designated by the secretary to review conviction records under this subdivision determines that the conviction record is satisfactory because it does not include any arrest or conviction that the director or person designated by the secretary determines is likely to adversely affect the child or the applicant's ability to care for the child. The county department or, in a county having a population of 750,000 or more, the department or the county department may make payments under sub. (3n) conditioned on the receipt of information from the federal bureau of investigation indicating that the person's conviction record under the law of any other state or under federal law is satisfactory because the conviction record

does not include any arrest or conviction that the director of the county department or, in a county having a population of 750,000 or more, the director of the county department or the person designated by the secretary to review conviction records under this subdivision determines is likely to adversely affect the child or the applicant's ability to care for the child.

**SECTION 103.** 48.57 (3p) (fm) 2. of the statutes is amended to read:

48.57 **(3p)** (fm) 2. A person receiving payments under sub. (3m) may provisionally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or provisionally permit a person to be an adult resident if the person receiving those payments states to the county department or, in a county having a population of 750,000 or more, the department or the county department that the employee or adult resident does not have any arrests or convictions that could adversely affect the child or the ability of the person receiving payments to care for the child. A person receiving payments under sub. (3m) may not finally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or finally permit a person to be an adult resident until the county department or, in a county having a population of 750,000 or more, the department or the county department receives information from the department of justice indicating that the person's conviction record under the law of this state is satisfactory according to the criteria specified in par. (g) 1. to 3. and the county department or, in a county having a population of 750,000 or more, the department or the county department so advises the person receiving payments under sub. (3m) or until a decision is made under par. (h) 4. to permit a person who is receiving

payments under sub. (3m) to employ a person in a position in which that person would have regular contact with the child for whom payments are being made or to permit a person to be an adult resident and the county department or, in a county having a population of 750,000 or more, the department or the county department so advises the person receiving payments under sub. (3m). A person receiving payments under sub. (3m) may finally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or finally permit a person to be an adult resident conditioned on the receipt of information from the county department or, in a county having a population of 750,000 or more, the department or the county department that the federal bureau of investigation indicates that the person's conviction record under the law of any other state or under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

**SECTION 104.** 48.57 (3p) (fm) 2m. of the statutes is amended to read:

48.57 **(3p)** (fm) 2m. A person receiving payments under sub. (3n) may provisionally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or provisionally permit a person to be an adult resident if the person receiving those payments states to the county department or, in a county having a population of 750,000 or more, the department or the county department that, to the best of his or her knowledge, the employee or adult resident does not have any arrests or convictions that could adversely affect the child or the ability of the person receiving payments to care for the child. A person receiving payment under sub. (3n) may not finally employ a person in a position in which that person would have regular contact with

the child for whom those payments are being made or finally permit a person to be an adult resident until the county department or, in a county having a population of 750,000 or more, the department or the county department receives information from the department of justice relating to the person's conviction record under the law of this state and that record indicates either that the person has not been arrested or convicted or that the person has been arrested or convicted but the director of the county department or, in a county having a population of 750,000 or more, the director of the county department or the person designated by the secretary to review conviction records under this subdivision determines that the conviction record is satisfactory because it does not include any arrest or conviction that is likely to adversely affect the child or the ability of the person receiving payments to care for the child and the county department or department so advises the person receiving payments under sub. (3n). A person receiving payments under sub. (3n) may finally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or finally permit a person to be an adult resident conditioned on the receipt of information from the county department or, in a county having a population of 750,000 or more, the department or the county department that the federal bureau of investigation indicates that the person's conviction record under the law of any other state or under federal law is satisfactory because the conviction record does not include any arrest or conviction that the director of the county department or, in a county having a population of 750,000 or more, the director of the county department or the person designated by the secretary to review conviction records under this

subdivision determines is likely to adversely affect the child or the ability of the person receiving payments to care for the child.

**SECTION 105.** 48.57 (3p) (g) (intro.) of the statutes is amended to read:

48.57 **(3p)** (g) (intro.) Except as provided in par. (h), the county department or, in a county having a population of 750,000 or more, the department or the county department may not make payments to a person applying for payments under sub. (3m) and a person receiving payments under sub. (3m) may not employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or permit a person to be an adult resident if any of the following applies:

**SECTION 106.** 48.57 (3p) (h) 2. of the statutes is amended to read:

48.57 **(3p)** (h) 2. The request for review shall be filed with the director of the county department or, in a county having a population of 750,000 or more, with the director of the county department or the person designated by the secretary to receive requests for review filed under this subdivision. If the governing body of an Indian tribe has entered into an agreement under sub. (3t) to administer the program under this subsection and sub. (3m), the request for review shall be filed with the person designated by that governing body to receive requests for review filed under this subdivision.

**SECTION 107.** 48.57 (3p) (h) 3. (intro.) of the statutes is amended to read:

48.57 **(3p)** (h) 3. (intro.) The director of the county department, the person designated by the governing body of an Indian tribe or, in a county having a population of 750,000 or more, the director of the county department or the person designated by the secretary shall review the denial of payments or the prohibition

on employment or being an adult resident to determine if the conviction record on which the denial or prohibition is based includes any arrests, convictions, or penalties that are likely to adversely affect the child or the ability of the kinship care provider to care for the child. In reviewing the denial or prohibition, the director of the county department, the person designated by the governing body of the Indian tribe or the person designated by the secretary shall consider all of the following factors:

**SECTION 108.** 48.57 (3p) (h) 4. of the statutes is amended to read:

48.57 **(3p)** (h) 4. If the director of the county department, the person designated by the governing body of the Indian tribe or, in a county having a population of 750,000 or more, the director of the county department or the person designated by the secretary determines that the conviction record on which the denial of payments or the prohibition on employment or being an adult resident is based does not include any arrests, convictions, or penalties that are likely to adversely affect the child or the ability of the kinship care provider to care for the child, the director of the county department, the person designated by the governing body of the Indian tribe, or the person designated by the secretary may approve the making of payments under sub. (3m) or may permit a person receiving payments under sub. (3m) to employ a person in a position in which that person would have regular contact with the child for whom payments are being made or permit a person to be an adult resident.

**SECTION 109.** 48.57 (3p) (hm) of the statutes is amended to read:

48.57 **(3p)** (hm) A county department or, in a county having a population of 750,000 or more, the department or the county department may not make



payments to a person under sub. (3n) and a person receiving payments under sub. (3n) may not employ a person in a position in which that person would have regular contact with the child for whom payments are being made or permit a person to be an adult resident if the director of the county department or, in a county having a population of 750,000 or more, the director of the county department or the person designated by the secretary to review conviction records under this paragraph determines that the person has any arrest or conviction that is likely to adversely affect the child or the person's ability to care for the child. A person who is aggrieved by a decision under this paragraph may obtain a hearing on that decision under sub. (3n) (g) as provided in sub. (3n) (f).

**SECTION 110.** 48.57 (3p) (i) of the statutes is amended to read:

48.57 **(3p)** (i) A county department and, in a county having a population of 750,000 or more, the department or a county department shall keep confidential all information received under this subsection from the department of justice or the federal bureau of investigation. Such information is not subject to inspection or copying under s. 19.35.

**SECTION 111.** 48.57 (3p) (j) of the statutes is amended to read:

48.57 **(3p)** (j) A county department or, in a county having a population of 750,000 or more, the department or a county department may charge a fee for conducting a background investigation under this subsection. The fee may not exceed the reasonable cost of conducting the investigation.

**SECTION 112.** 48.62 (4) (a) of the statutes is amended to read:

48.62 **(4)** (a) Monthly payments in foster care shall be provided according to the rates specified in this subsection. Beginning on January 1, 2024, ~~the rates for~~

~~care and maintenance provided for a child of any age by a foster home that is certified to provide level one care, as defined in the rules promulgated under sub. (8)(a), are \$375 and 2026,~~ for care and maintenance provided by a foster home that is certified to provide ~~care at a~~ any level of care ~~that is higher than level one care,~~ the rates are all of the following:

1. ~~\$441~~ \$463 for a child under 5 years of age.
2. ~~\$483~~ \$507 for a child 5 to 11 years of age.
3. ~~\$548~~ \$575 for a child 12 to 14 years of age.
4. ~~\$572~~ \$601 for a child 15 years of age or over.

**SECTION 113.** 48.62 (5) of the statutes is created to read:

48.62 (5) (a) In addition to the grants for basic maintenance and supplemental payments for foster care under sub. (4), the department or, with the department's approval, the county department or licensed child welfare agency may make emergency payments for foster care to foster homes that are receiving payments under sub. (4) if any of the following conditions are met:

1. The governor has declared a state of emergency pursuant to s. 323.10, or the federal government has declared a major disaster under 42 USC 68, that covers the locality of the foster home.

2. This state has received federal funding to be used for child welfare purposes due to an emergency or disaster declared for the locality of the foster home.

3. The department has determined that conditions in this state or in the locality of the foster home have resulted in a temporary increase in the costs borne by foster homes. Those conditions may include any of the following:

- a. A pandemic or other public health threat.

b. A natural disaster.

c. Unplanned school closures of 5 consecutive days or more.

(b) The department shall determine the amount of emergency payments under par. (a) based on available funding.

**SECTION 114.** 48.62 (8m) of the statutes is created to read:

48.62 (8m) The department may promulgate rules governing the provision of emergency payments to foster homes under sub. (5).

**SECTION 115.** 48.623 (1) of the statutes is renumbered 48.623 (1r), and 48.623 (1r) (c), as renumbered, is amended to read:

48.623 (1r) (c) An order under s. 48.345, 48.357, 48.363, 48.365, 938.34, 938.345, 938.357, 938.363, or 938.365 or a tribal court order under a substantially similar tribal law placing the child, or continuing the placement of the child, outside of the child's home has been terminated, or any proceeding specified in s. 48.977 (2) (a) in which the child has been adjudged to be in need of protection or services ~~specified in s. 48.977 (2) (a)~~ or delinquent has been dismissed, as provided in s. 48.977 (3r) (a).

**SECTION 116.** 48.623 (1g) of the statutes is created to read:

48.623 (1g) In this section, "county department" means a county department under s. 46.215, 46.22, or 46.23.

**SECTION 117.** 48.623 (1m) (intro.) of the statutes is amended to read:

48.623 (1m) DURATION OF ELIGIBILITY. (intro.) Subsidized guardianship payments under sub. (1) ~~(1r)~~ or (6) may be continued after the child attains 18 years of age if any of the following applies:

**SECTION 118.** 48.623 (2) (intro.) of the statutes is amended to read:

48.623 (2) SUBSIDIZED GUARDIANSHIP AGREEMENT. (intro.) Before a county department, an Indian tribe, or the department may approve the provision of subsidized guardianship payments under sub. ~~(1)~~ (1r) to a proposed guardian, the county department, Indian tribe, or department shall negotiate and enter into a written, binding subsidized guardianship agreement with the proposed guardian and provide the proposed guardian with a copy of the agreement. A subsidized guardianship agreement or an amended subsidized guardianship agreement may also name a prospective successor guardian of the child to assume the duty and authority of guardianship on the death or incapacity of the guardian. A successor guardian is eligible for monthly subsidized guardianship payments under this section only if the successor guardian is named as a prospective successor guardian of the child in a subsidized guardianship agreement or amended subsidized guardianship agreement that was entered into before the death or incapacity of the guardian, the conditions specified in sub. (6) (bm) are met, and the court appoints the successor guardian to assume the duty and authority of guardianship as provided in s. 48.977 (5m). A subsidized guardianship agreement shall specify all of the following:

**SECTION 119.** 48.623 (2) (e) of the statutes is amended to read:

48.623 (2) (e) That, in determining eligibility for adoption assistance under s. 48.975 and 42 USC 673 for the care of the child, the placement of the child in the home of the guardian and any payments made under sub. ~~(1)~~ (1r) shall be considered never to have been made.

**SECTION 120.** 48.623 (3) (a) of the statutes is amended to read:

48.623 (3) (a) Except as provided in this paragraph, the county department shall provide the monthly payments under sub. ~~(1)~~ (1r) or (6). An Indian tribe that has entered into an agreement with the department under sub. (8) shall provide the monthly payments under sub. ~~(1)~~ (1r) or (6) for guardianships of children ordered by the tribal court, or a county department may provide the monthly payments under sub. ~~(1)~~ (1r) or (6) for guardianships of children ordered by the tribal court if the county department has entered into an agreement with the governing body of an Indian tribe to provide those payments. The county department or Indian tribe shall provide those payments from moneys received under s. 48.48 (8r). ~~The department shall reimburse county departments and Indian tribes for the cost of subsidized guardianship payments, including payments made by county departments for guardianships of children ordered by tribal courts, from the appropriations under s. 20.437 (1) (dd), (kL), and (pd).~~ In a county having a population of 750,000 or more or in the circumstances specified in s. 48.43 (7) (a) or 48.485 (1), the department shall provide the monthly payments under sub. ~~(1)~~ (1r) or (6). ~~The department shall provide those payments from the appropriations under s. 20.437 (1) (cx) and (mx) or the county department shall provide those payments from moneys received under s. 48.48 (8r). The department shall reimburse county departments and Indian tribes for the cost of subsidized guardianship payments, including payments made by county departments for guardianships of children ordered by tribal courts, from the appropriations under s. 20.437 (1) (dd), (kL), and (pd).~~

**SECTION 121.** 48.623 (3) (b) of the statutes is amended to read:

48.623 (3) (b) The county department or, as provided in par. (a), an Indian

tribe or the department shall determine the initial amount of a monthly payment under sub. ~~(1)~~ (1r) or (6) for the care of a child based on the circumstances of the guardian and the needs of the child. That amount may not exceed the amount received under s. 48.62 (4) or a substantially similar tribal law by the guardian of the child for the month immediately preceding the month in which the guardianship order was granted. A guardian or an interim caretaker who receives a monthly payment under sub. ~~(1)~~ (1r) or (6) for the care of a child is not eligible to receive a payment under s. 48.57 (3m) or (3n) or 48.62 (4) for the care of that child.

**SECTION 122.** 48.623 (3) (c) 2. of the statutes is amended to read:

48.623 (3) (c) 2. Annually, a county department, Indian tribe, or the department shall review an agreement that has been amended under subd. 1. to determine whether the substantial change in circumstances that was the basis for amending the agreement continues to exist. If that substantial change in circumstances continues to exist, the agreement, as amended, shall remain in effect. If that substantial change in circumstances no longer exists, the county department, Indian tribe, or department shall offer to decrease the amount of the monthly subsidized guardianship payments provided under sub. ~~(1)~~ (1r) based on criteria established by the department under sub. (7) (c). If the decreased amount of those payments is agreed to by the person receiving those payments, the county department, Indian tribe, or department shall amend the agreement in writing to specify the decreased amount of those payments. If the decreased amount of those payments is not agreed to by the person receiving those payments, that person may appeal the decision of the county department, Indian tribe, or department regarding the decrease under sub. (5).

**SECTION 123.** 48.623 (3) (d) of the statutes is amended to read:

48.623 (3) (d) The department, an Indian tribe, or a county department may recover an overpayment made under sub. ~~(1)~~ (1r) or (6) from a guardian or interim caretaker who continues to receive those payments by reducing the amount of the person's monthly payment. The department may by rule specify other methods for recovering those overpayments. A county department or Indian tribe that recovers an overpayment under this paragraph due to the efforts of its officers and employees may retain a portion of the amount recovered, as provided by the department by rule.

**SECTION 124.** 48.623 (4) of the statutes is amended to read:

48.623 (4) ANNUAL REVIEW. A county department, an Indian tribe, or the department shall review a placement of a child for which the county department, Indian tribe, or department makes payments under sub. ~~(1)~~ (1r) not less than every 12 months after the county department, Indian tribe, or department begins making those payments to determine whether the child and the guardian remain eligible for those payments. If the child or the guardian is no longer eligible for those payments, the county department, Indian tribe, or department shall discontinue making those payments.

**SECTION 125.** 48.623 (5) (a) of the statutes is amended to read:

48.623 (5) (a) Any person whose application for payments under sub. ~~(1)~~ (1r) is not acted on promptly or is denied on the grounds that a condition specified in sub. ~~(1)~~ (1r) has not been met and any person whose payments under sub. ~~(1)~~ (1r) are decreased under sub. (3) (c) 2. or discontinued under sub. (4) may petition the department under par. (b) for a review of that action or failure to act. Review is

unavailable if the action or failure to act arose more than 45 days before submission of the petition for review.

**SECTION 126.** 48.623 (5) (b) 2. of the statutes is amended to read:

48.623 (5) (b) 2. If a recipient requests a hearing within 10 days after the date of notice that his or her payments under sub. ~~(1)~~ (1r) are being decreased or discontinued, those payments may not be decreased or discontinued until a decision is rendered after the hearing but payments made pending the hearing decision may be recovered by the department if the contested action or failure to act is upheld. The department shall promptly notify the county department, Indian tribe, or subunit of the department whose action is the subject of the hearing that the recipient has requested a hearing. Payments under sub. ~~(1)~~ (1r) shall be decreased or discontinued if the recipient is contesting a state law or a change in state law and not the determination of the payment made on the recipient's behalf.

**SECTION 127.** 48.623 (5) (b) 3. of the statutes is amended to read:

48.623 (5) (b) 3. The recipient shall be promptly informed in writing if his or her payments under sub. ~~(1)~~ (1r) are to be decreased or discontinued pending the hearing decision.

**SECTION 128.** 48.623 (6) (am) (intro.) of the statutes is amended to read:

48.623 (6) (am) (intro.) On the death, incapacity, resignation, or removal of a guardian receiving payments under sub. ~~(1)~~ (1r), the county department, Indian tribe, or department providing those payments shall provide monthly subsidized guardianship payments in the amount specified in sub. (3) (b) for a period of up to 12 months to an interim caretaker if all of the following conditions are met:

**SECTION 129.** 48.623 (6) (bm) (intro.) of the statutes is amended to read:



48.623 (6) (bm) (intro.) On the death or incapacity of a guardian receiving payments under sub. (1) ~~(1r)~~, the county department, an Indian tribe, or the department providing those payments shall provide monthly subsidized guardianship payments in the amount specified in sub. (3) (b) to a person named as a prospective successor guardian of the child in a subsidized guardianship agreement or amended subsidized guardianship agreement that was entered into before the death or incapacity of the guardian if all of the following conditions are met and the court appoints the person as successor guardian to assume the duty and authority of guardianship as provided in s. 48.977 (5m):

**SECTION 130.** 48.623 (6) (bm) 6. of the statutes is amended to read:

48.623 (6) (bm) 6. Any order under s. 48.345, 48.357, 48.363, 48.365, 938.34, 938.345, 938.357, 938.363, or 938.365 or a tribal court order under a substantially similar tribal law placing the child, or continuing the placement of the child, outside of the child's home has been terminated, or any proceeding specified in s. 48.977 (2) (a) in which the child has been adjudged to be in need of protection or services ~~specified in s. 48.977 (2) (a)~~ or delinquent has been dismissed, as provided in s. 48.977 (3r) (b).

**SECTION 131.** 48.623 (7) (a) of the statutes is amended to read:

48.623 (7) (a) A rule defining the substantial change in circumstances under which a person receiving monthly subsidized guardianship payments under sub. (1) ~~(1r)~~ may request that an agreement made under sub. (2) be amended to increase the amount of those payments.

**SECTION 132.** 48.623 (7) (c) of the statutes is amended to read:

48.623 (7) (c) Rules establishing the criteria for determining the amount of

the decrease in monthly subsidized guardianship payments that the department shall offer under sub. (3) (c) 2. if a substantial change in circumstances no longer exists. The criteria shall provide that the amount of the decrease offered by the department under sub. (3) (c) 2. may not result in a monthly subsidized guardianship payment that is less than the initial monthly subsidized guardianship payment provided for the child under sub. ~~(1)~~ (1r).

**SECTION 133.** 48.623 (7) (dm) of the statutes is amended to read:

48.623 (7) (dm) Rules establishing the conditions that must be met in order for a person specified in sub. ~~(1)~~ (1r) (b) 1. c. to be eligible for monthly subsidized guardianship payments under sub. ~~(1)~~ (1r).

**SECTION 134.** 48.623 (8) (b) of the statutes is amended to read:

48.623 (8) (b) A county department may provide the monthly payments under sub. ~~(1)~~ (1r) or (6) for guardianships of children ordered by the tribal court if the county department has entered into an agreement with the governing body of an Indian tribe to provide those payments.

**SECTION 135.** 48.645 (3) of the statutes is repealed.

**SECTION 136.** 48.977 (title) of the statutes is amended to read:

**48.977 (title) Appointment of guardians for certain children or juveniles in need of protection or services or juveniles adjudged delinquent.**

**SECTION 137.** 48.977 (2) (a) of the statutes is amended to read:

48.977 (2) (a) That the child has been adjudged to be in need of protection or services under s. 48.13 (1), (2), (3), (3m), (4), (4m), (5), (8), (9), (10), (10m), (11), or (11m) or 938.13 ~~(4)~~ and been placed, or continued in a placement, outside of his or

her home pursuant to one or more court orders under s. 48.345, 48.357, 48.363, 48.365, 938.345, 938.357, 938.363, or 938.365 or that the child has been so adjudged and placement of the child in the home of a guardian under this section has been recommended under s. 48.33 (1) or 938.33 (1), or that the child has been adjudged to be delinquent under s. 938.12 and has been placed, or continued in a placement, outside his or her home pursuant to one or more court orders under s. 938.34, 938.357, 938.363, or 938.365 or that the child has been so adjudged and placement of the child in the home of a guardian under this section has been recommended under s. 938.33 (1).

**SECTION 138.** 48.977 (3r) (a) of the statutes is amended to read:

48.977 (3r) (a) *Guardian*. Subsidized guardianship payments under s. 48.623 ~~(1)~~ (1r) may not be made to a guardian of a child unless a subsidized guardianship agreement under s. 48.623 (2) is entered into before the guardianship order is granted and the court either terminates any order specified in sub. (2) (a) or dismisses any proceeding in which the child has been adjudicated in need of protection or services or has been adjudged delinquent as specified in sub. (2) (a). If a child's permanency plan calls for placement of the child in the home of a guardian and the provision of monthly subsidized guardianship payments to the guardian, the petitioner under sub. (4) (a) shall include in the petition under sub. (4) (b) a statement of the determinations made under s. 48.623 ~~(1)~~ (1r) and a request for the court to include in the court's findings under sub. (4) (d) a finding confirming those determinations. If the court confirms those determinations, appoints a guardian for the child under sub. (2), and either terminates any order specified in sub. (2) (a) or dismisses any proceeding in which the child is adjudicated to be in need of

protection or services or is adjudged delinquent as specified in sub. (2) (a), the county department or, as provided in s. 48.623 (3) (a), an Indian tribe or the department shall provide monthly subsidized guardianship payments to the guardian under s. 48.623 ~~(4)~~ (1r).

**SECTION 139.** 48.977 (3r) (b) of the statutes is amended to read:

48.977 **(3r)** (b) *Successor guardian.* Subsidized guardianship payments under s. 48.623 (6) (bm) may not be made to a successor guardian of a child unless the court makes a finding confirming that the successor guardian is named as a prospective successor guardian of the child in a subsidized guardianship agreement or amended subsidized guardianship agreement under s. 48.623 (2) that was entered into before the death or incapacity of the guardian and that the conditions specified in s. 48.623 (6) (bm) have been met, appoints the successor guardian to assume the duty and authority of guardianship as provided in sub. (5m), and either terminates any order specified in sub. (2) (a) or dismisses any proceeding in which the child has been adjudicated in need of protection or services or adjudged delinquent as specified in sub. (2) (a). If the court makes that finding and appointment and either terminates such an order or dismisses such a proceeding, the county department or, as provided in s. 48.623 (3) (a), an Indian tribe or the department shall provide monthly subsidized guardianship payments to the successor guardian under s. 48.623 (6) (bm).

**SECTION 140.** 48.977 (4) (a) 8. of the statutes is amended to read:

48.977 **(4)** (a) 8. The person representing the interests of the public under s. 48.09, or, if the child has been placed pursuant to an order under ch. 938 or the

child's placement with the guardian is recommended under ch. 938, the person representing the interests of the public under s. 938.09.

**SECTION 141.** 48.977 (4) (b) 3. of the statutes is amended to read:

48.977 (4) (b) 3. The date on which the child was adjudged in need of protection or services under s. 48.13 (1), (2), (3), (3m), (4), (4m), (5), (8), (9), (10), (10m), (11), or (11m) or 938.13 ~~(4)~~ and the dates on which the child has been placed, or continued in a placement, outside of his or her home pursuant to one or more court orders under s. 48.345, 48.357, 48.363, 48.365, 938.345, 938.357, 938.363, or 938.365 or, if the child has been so adjudged, but not so placed, the date of the report under s. 48.33 (1) or 938.33 (1) in which placement of the child in the home of the person is recommended, or, if the child has been adjudged delinquent under s. 938.12, the date on which the child was adjudged delinquent, and the dates on which the child has been placed, or continued in a placement, outside his or her home pursuant to one or more court orders under s. 938.34, 938.357, 938.363, or 938.365 or, if the child has been so adjudged but not so placed, the date of the report under s. 938.33 (1).

**SECTION 142.** 48.977 (4) (c) 1. h. of the statutes is amended to read:

48.977 (4) (c) 1. h. The person representing the interests of the public under s. 48.09, or, if the child has been placed pursuant to an order under ch. 938, the person representing the interests of the public under s. 938.09.

**SECTION 143.** 48.977 (4) (i) of the statutes is amended to read:

48.977 (4) (i) *Effect of disposition on permanency review process.* After a disposition under par. (h), the child's permanency plan shall continue to be reviewed under ~~s. ss.~~ 48.38 (5) and 938.38 (5), if applicable.

**SECTION 144.** 49.132 of the statutes is created to read:

**49.132 Child care partnership grant program.** (1) In this section, “business” means a governmental entity, an organization or enterprise operated for profit, or a nonprofit corporation.

(2) The department may establish a grant program to award funding to businesses that provide or wish to provide child care services for their employees. A grant awarded under this program may be used to reserve child care placements for local business employees, pay child care tuition, and other costs related to child care.

(3) A business awarded a grant under this section shall provide matching funds equal to 10 percent or more of the amount awarded if the business has 50 or fewer employees and 15 percent or more of the amount awarded if the business has more than 50 employees.

(4) The department may promulgate rules to administer this section, including to determine eligibility for a grant.

**SECTION 145.** 49.133 of the statutes is created to read:

**49.133 Child care quality improvement program.** (1) The department may establish a program under which it may, from the appropriation under s. 20.437 (2) (c) and the allocation under s. 49.175 (1) (qm), make monthly payments and monthly per-child payments to child care providers certified under s. 48.651, child care centers licensed under s. 48.65, and child care programs established or contracted for by a school board under s. 120.13 (14). The department may

investigate and recover from payment recipients under this section amounts overpaid or obtained through fraud.

(2) If the department establishes the program under sub. (1), the department shall promulgate rules to implement the program, including establishing eligibility requirements and payment amounts and setting requirements for how recipients may use the payments.

**SECTION 146.** 49.1335 of the statutes is created to read:

**49.1335 Child care access program.** (1) In this section, “family child care center” has the meaning given in s. 49.136 (1) (j).

(2) From the appropriation under s. 20.437 (2) (bp), the department shall award the following grants to increase access to high-quality child care in this state:

(a) Grants in an amount no greater than \$4,500,000, awarded on a competitive basis, to organizations do any of the following:

1. Increase the child care workforce in this state by launching an online software platform that is linked to the department’s website to connect child care providers with child care workers and a pool of substitute child care workers.

2. Build child care capacity in this state.

(b) A grant to Wisconsin Early Childhood Association, Inc., at \$5,500,000, to provide any of the following for child care providers or prospective child care providers:

1. Assistance with licensing under s. 48.65 and certification under s. 48.651, prioritizing locations with a high need for child care services and child care providers that serve infants and toddlers.

2. Coaching services and other support services, including for substitute child care workers.

3. Tax education assistance for family child care centers.

**SECTION 147.** 49.1337 of the statutes is created to read:

**49.1337 Child care water safety grant program.** From the appropriation under s. 20.437 (2) (ej), each fiscal year the department shall award a grant to Community Water Services, Inc., for the purpose of helping child care providers to access safe drinking water.

**SECTION 148.** 49.1385 of the statutes is amended to read:

**49.1385 Grants for services for homeless and runaway youth.** The department may award not more than ~~\$400,000~~ \$2,872,800 in each fiscal year in grants to support programs that provide services for homeless and runaway youth.

**SECTION 149.** 49.155 (1g) (i) of the statutes is repealed.

**SECTION 150.** 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 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 151.** 49.155 (1m) (a) (intro.) of the statutes is amended to read:



49.155 (1m) (a) (intro.) Subject to sub. (2), the individual is a parent of a child who meets the requirement under s. 49.145 (2) (c) and who is under the age of 13 or, if the child is disabled, is under the age of 19; or is ~~a relative~~ an individual who, under s. 48.57 (3m) or (3n) or 48.62, is providing care and maintenance for a child who meets the requirement under s. 49.145 (2) (c) and who is under the age of 13 or, if the child is disabled, is under the age of 19; and child care services for that child are needed in order for the individual to participate in an approved activity. An individual who is eligible to receive a child care subsidy under this subsection shall remain eligible for that subsidy for a period of 3 months after the individual permanently ceases participation in the approved activity or until the department or the county department or agency redetermines the individual's eligibility, whichever is earlier. In this paragraph, "approved activity" means any of the following:

**SECTION 152.** 49.155 (1m) (c) 1d. a. of the statutes is amended to read:

49.155 (1m) (c) 1d. a. ~~Notwithstanding sub. (5) (b), if~~ If the individual is already receiving a child care subsidy under this section and the gross income of the individual's family exceeds 200 percent of the poverty line for a family the size of the individual's family, the ~~individual's copayment amount under sub. (5) increases by \$1 for every \$3 by which the individual's family's gross income exceeds 200 percent of the poverty line for a family the size of the individual's family. Beginning in fiscal year 2024-25, to the extent that the individual's family's gross income exceeds 200 percent of the poverty line for a family the size of the individual's family, the individual's copayment amount under sub. (5) increases by \$1 for every \$5~~

individual may still receive a child care subsidy under this section unless the condition in subd. 1d. b. is met.

**SECTION 153.** 49.155 (1m) (c) 1d. b. of the statutes is amended to read:

49.155 (1m) (c) 1d. b. ~~Notwithstanding subd. 1d. a., if~~ If the gross income of an individual's family exceeds 85 percent of the state median income for a family the size of the individual's family, the individual is not eligible to receive a child care subsidy under this section.

**SECTION 154.** 49.155 (1m) (c) 1h. of the statutes is amended to read:

49.155 (1m) (c) 1h. If the individual ~~is a relative of the child,~~ is providing care for the child under a court order; and is receiving payments under s. 48.57 (3m) or (3n) on behalf of the child, the child's ~~biological~~ natural or adoptive family has a gross income that is at or below 200 percent of the poverty line. In calculating the gross income of the child's ~~biological~~ natural or adoptive family, the department or county department or agency determining eligibility shall include court-ordered child or family support payments received by the individual, if those support payments exceed \$1,250 per month, and income described under s. 49.145 (3) (b) 1. and 3.

**SECTION 155.** 49.155 (1m) (cm) 3. of the statutes is amended to read:

49.155 (1m) (cm) 3. ~~A relative of the child~~ An individual who is providing care for the child under a court order and receiving payments under s. 48.57 (3m) or (3n) on behalf of the child.

**SECTION 156.** 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).

**SECTION 157.** 49.155 (6) (e) 2., 3. and 5. of the statutes are repealed.

**SECTION 158.** 49.163 (2) (am) 4. of the statutes is repealed.

**SECTION 159.** 49.163 (2) (am) 5. of the statutes is amended to read:

49.163 (2) (am) 5. ~~Be ineligible~~ Have not filed for unemployment insurance benefits or have filed but is not eligible to receive unemployment insurance benefits.

**SECTION 160.** 49.1632 of the statutes is created to read:

**49.1632 Expanded Transform Milwaukee Jobs program and Transitional Jobs program.** From the appropriation under s. 20.437 (2) (fn), the department shall establish programs identical to the Transform Milwaukee Jobs

program and Transitional Jobs program under s. 49.163 except that an individual is not required to satisfy the eligibility criteria under s. 49.163 (2) (am) 2. and 3. in order to participate.

**SECTION 161.** 49.1635 (1) of the statutes is repealed.

**SECTION 162.** 49.1635 (2) of the statutes is repealed.

**SECTION 163.** 49.1635 (3) of the statutes is repealed.

**SECTION 164.** 49.1635 (4) of the statutes is repealed.

**SECTION 165.** 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~~ \$4,500,000 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 166.** 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 167.** 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~~ section, 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~~ subsection 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)~~.

**SECTION 168.** 49.175 (1) (a) of the statutes is amended to read:

49.175 **(1)** (a) *Wisconsin Works benefits.* For Wisconsin Works benefits, ~~\$37,000,000~~ \$26,806,500 in fiscal year ~~2021-22~~ 2025-26 and ~~\$34,000,000~~

~~\$26,987,700 in fiscal year 2022-23. In fiscal year 2023-24, for such benefits, \$28,000,000. In fiscal year 2024-25, for such benefits, \$29,000,000 2026-27.~~

**SECTION 169.** 49.175 (1) (b) of the statutes is amended to read:

49.175 (1) (b) *Wisconsin Works agency contracts; job access loans.* For contracts with Wisconsin Works agencies under s. 49.143 and for job access loans under s. 49.147 (6), ~~\$54,009,700~~ \$58,892,400 in fiscal year ~~2021-22~~ 2025-26 and ~~\$57,071,200~~ \$59,071,200 in each fiscal year thereafter 2026-27.

**SECTION 170.** 49.175 (1) (f) of the statutes is amended to read:

49.175 (1) (f) *Homeless case management services grants.* For grants to shelter facilities under s. 16.3085, ~~\$500,000~~ \$1,000,000 in each fiscal year. All moneys allocated under this paragraph shall be credited to the appropriation account under s. 20.505 (7) (kg).

**SECTION 171.** 49.175 (1) (g) of the statutes is amended to read:

49.175 (1) (g) *State administration of public assistance programs and overpayment collections.* For state administration of public assistance programs and the collection of public assistance overpayments, ~~\$17,231,100~~ \$25,258,600 in fiscal year ~~2021-22~~ 2025-26 and ~~\$17,482,300~~ \$25,707,800 in fiscal year ~~2022-23~~. ~~In fiscal year 2023-24, for such purposes, \$19,015,300. In fiscal year 2024-25, for such purposes, \$19,424,300 2026-27.~~

**SECTION 172.** 49.175 (1) (i) of the statutes is amended to read:

49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138 and for transfer to the department of administration for low-income energy or weatherization assistance programs, ~~\$6,000,000~~ \$10,414,400 in each fiscal year 2025-26 and \$10,141,300 in fiscal year 2026-27.

**SECTION 173.** 49.175 (1) (j) of the statutes is amended to read:

49.175 (1) (j) *Grants for providing civil legal services.* For the grants under s. 49.1635 ~~(5)~~ to Wisconsin Trust Account Foundation, Inc., for distribution to programs that provide civil legal services to low-income families, ~~\$500,000~~ \$4,500,000 in each fiscal year.

**SECTION 174.** 49.175 (1) (k) of the statutes is amended to read:

49.175 (1) (k) *Transform Milwaukee and Transitional Jobs programs.* For contract costs under the Transform Milwaukee Jobs program and the Transitional Jobs program under s. 49.163, ~~\$9,500,000~~ \$12,475,000 in each fiscal year.

**SECTION 175.** 49.175 (1) (Lm) of the statutes is amended to read:

49.175 (1) (Lm) *Jobs for America's Graduates.* For grants to the Jobs for America's Graduates-Wisconsin to fund programs that improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., in each fiscal year, ~~\$1,000,000~~ \$2,000,000.

**SECTION 176.** 49.175 (1) (Lp) of the statutes is repealed.

**SECTION 177.** 49.175 (1) (ms) of the statutes is created to read:

49.175 (1) (ms) *Child support debt reduction.* For the child support debt reduction program for noncustodial parents under s. 49.226, \$3,472,000 in fiscal year 2025-26 and \$6,944,000 in fiscal year 2026-27.

**SECTION 178.** 49.175 (1) (p) of the statutes is amended to read:

49.175 (1) (p) *Direct child care services.* For direct child care services under s. 49.155 or 49.257, ~~\$376,700,400~~ \$438,582,000 in fiscal year ~~2021-22~~ 2025-26 and ~~\$383,900,400~~ \$459,111,600 in fiscal year ~~2022-23~~. ~~In fiscal year 2023-24, for such~~

~~direct child care services, \$368,834,800. In fiscal year 2024-25, for such direct child care services, \$428,779,700 2026-27.~~

**SECTION 179.** 49.175 (1) (q) of the statutes is amended to read:

49.175 (1) (q) *Child care state administration and licensing activities.* For state administration of child care programs under s. 49.155 and for child care licensing activities, ~~\$42,117,800~~ \$52,983,800 in fiscal year ~~2021-22~~ 2025-26 and ~~\$41,803,100~~ \$53,723,400 in fiscal year ~~2022-23~~. ~~In fiscal year 2023-24, for such programs and activities, \$45,796,000. In fiscal year 2024-25, for such programs and activities, \$45,570,300 2026-27.~~

**SECTION 180.** 49.175 (1) (qm) of the statutes is amended to read:

49.175 (1) (qm) *Quality care for quality kids.* For the child care quality improvement activities specified in ss. 49.133, 49.155 (1g) and 49.257, ~~\$16,683,700~~ \$49,446,300 in each fiscal year ~~2022-23~~. ~~In fiscal year 2023-24, for such activities, \$28,518,700. In fiscal year 2024-25, for such activities, \$46,018,700.~~

**SECTION 181.** 49.175 (1) (r) of the statutes is amended to read:

49.175 (1) (r) *Children of recipients of supplemental security income.* For payments made under s. 49.775 for the support of the dependent children of recipients of supplemental security income, ~~\$18,564,700~~ \$19,262,100 in each fiscal year ~~2021-22~~ and ~~\$18,145,000~~ in fiscal year ~~2022-23~~. ~~In fiscal year 2023-24, for such payments, \$9,699,900. In fiscal year 2024-25, for such payments, \$10,990,400.~~

**SECTION 182.** 49.175 (1) (s) of the statutes is amended to read:

49.175 (1) (s) *Kinship care and long-term kinship care assistance.* For kinship care and long-term kinship care payments under s. 48.57 (3m) (am) and (3n) (am), for assessments to determine eligibility for those payments, and for agreements



under s. 48.57 (3t) with the governing bodies of Indian tribes for the administration of the kinship care and long-term kinship care programs within the boundaries of the reservations of those tribes, ~~\$28,727,100~~ \$45,686,700 in fiscal year ~~2021-22~~ 2025-26 and ~~\$31,441,800~~ \$53,125,600 in fiscal year ~~2022-23~~. ~~In fiscal year 2023-24, for such payments, \$31,719,200. In fiscal year 2024-25, for such payments, \$35,661,000~~ 2026-27.

**SECTION 183.** 49.175 (1) (z) of the statutes is amended to read:

49.175 (1) (z) *Grants to the Boys and Girls Clubs of America.* For grants to the Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., focusing on study habits, intensive tutoring in math and English, and exposure to career options and role models, ~~\$2,807,000~~ \$9,507,000 in each fiscal year. Grants provided under this paragraph may not be used by the grant recipient to replace funding for programs that are being funded, when the grant proceeds are received, with moneys other than those from the appropriations specified in sub. (1) (intro.). The total amount of the grants includes funds for the BE GREAT: Graduate program in the amount of matching funds that the program provides, up to \$1,532,000 in each fiscal year, to be used only for activities for which federal Temporary Assistance for Needy Families block grant moneys may be used.

**SECTION 184.** 49.175 (1) (zh) of the statutes is amended to read:

49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit,

~~\$63,600,000~~ \$100,907,800 in fiscal year ~~2021-22~~ 2025-26 and ~~\$66,600,000~~ \$101,558,500 in fiscal year ~~2022-23~~. ~~In fiscal year 2023-24, for such purposes,~~ \$61,725,000. ~~In fiscal year 2024-25, for such purposes,~~ \$65,002,000 2026-27.

**SECTION 185.** 49.226 of the statutes is created to read:

**49.226 Child support debt reduction.** (1) The department shall establish a program to provide noncustodial child support debt reduction. A noncustodial parent qualifies to receive up to \$1,500 in debt reduction under this section if all of the following apply:

(a) The noncustodial parent completes an eligible employment program, as defined by the department in rules promulgated under sub. (3).

(b) The custodial parent agrees to reducing child support debt owed up to the amount of the benefit paid.

(2) A noncustodial parent may not receive debt reduction under sub. (1) more than once in any 12-month period.

(3) The department shall promulgate rules to implement this section, including rules to determine how debt reduction provided under sub. (1) is apportioned among multiple child support orders.

**SECTION 186.** 49.345 (1) of the statutes is amended to read:

49.345 (1) Liability and the collection and enforcement of such liability for the care, maintenance, services, and supplies specified in this section are governed exclusively by this section, except in cases of child support ordered by a court under s. 48.355 (2) (b) 4. or (4g) (a), ~~48.357 (5m) (a)~~, 48.363 (2), 938.183 (4), 938.355 (2) (b) 4. ~~(4g) (a)~~, ~~938.357 (5m) (a)~~, or 938.363 (2) or ch. 767 or s. 48.355 (2) (b) 4., 2023

stats., s. 48.357 (5m) (a), 2023 stats., s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats.

**SECTION 187.** 49.345 (14) (e) 1. of the statutes is amended to read:

49.345 (14) (e) 1. An order issued under s. 48.355 ~~(2) (b) 4. or (4g) (a), 48.357 (5m) (a),~~ 48.363 (2), 938.183 (4), 938.355 ~~(2) (b) 4. (4g) (a), 938.357 (5m) (a),~~ or 938.363 (2) or s. 48.355 (2) (b) 4., 2023 stats., s. 48.357 (5m) (a), 2023 stats., s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats., for support determined under this subsection constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, income continuation insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108, and other money due or to be due in the future to the county department under s. 46.215, 46.22, or 46.23 in the county where the order was entered or to the department, depending upon the placement of the child as specified by rules promulgated under subd. 5. The assignment shall be for an amount sufficient to ensure payment under the order.

**SECTION 188.** 49.46 (1) (a) 16. of the statutes is amended to read:

49.46 (1) (a) 16. Any child who is living with ~~a relative~~ an individual who is eligible to receive payments under s. 48.57 (3m) or (3n) with respect to that child, if the department determines that no other insurance is available to the child.

**SECTION 189.** 103.10 (1) (a) (intro.) of the statutes is renumbered 103.10 (1) (a) and amended to read:

103.10 (1) (a) “Child” means a natural, adopted, or foster child, a stepchild, or a legal ward ~~to whom any of the following applies.~~

**SECTION 190.** 103.10 (1) (a) 1. of the statutes is repealed.

**SECTION 191.** 103.10 (1) (a) 2. of the statutes is repealed.

**SECTION 192.** 103.10 (1) (ap) of the statutes is created to read:

103.10 (1) (ap) “Covered active duty” means any of the following:

1. For a member of a regular component of the U.S. armed forces, duty during the deployment of the member with the U.S. armed forces to a foreign country.

2. For a member of a reserve component of the U.S. armed forces, duty during the deployment of the member with the U.S. armed forces to a foreign country under a call or order to active duty under a provision of law specified in 10 USC 101 (a) (13) (B).

**SECTION 193.** 103.10 (1) (b) of the statutes is amended to read:

103.10 (1) (b) Except as provided in sub. (1m) (b) 2. and s. 452.38, “employee” means an individual employed in this state by an employer, except the employer’s ~~parent, child, spouse, domestic partner, or child~~ parent, grandparent, grandchild, or sibling.

**SECTION 194.** 103.10 (1) (dm) of the statutes is created to read:

103.10 (1) (dm) “Grandchild” means the child of a child.

**SECTION 195.** 103.10 (1) (dp) of the statutes is created to read:

103.10 (1) (dp) “Grandparent” means the parent of a parent.

**SECTION 196.** 103.10 (1) (em) of the statutes is created to read:

103.10 (1) (em) “Medical isolation” means any of the following:

1. When a health care professional, a local health officer, or the department of health services advises that an individual seclude herself or himself from others

when the individual is awaiting the result of a diagnostic test for a communicable disease or when the individual is infected with a communicable disease.

2. When a local health officer or the department of health services advises that an individual isolate or quarantine under s. 252.06.

3. When an individual's employer advises that the individual not come to the workplace due to a concern that the individual may have been exposed to or infected with a communicable disease.

**SECTION 197.** 103.10 (1) (gm) of the statutes is created to read:

103.10 (1) (gm) "Sibling" means a brother, sister, half brother, half sister, stepbrother, or stepsister, whether by blood, marriage, or adoption.

**SECTION 198.** 103.10 (1m) (b) 1. of the statutes is renumbered 103.10 (1) (an).

**SECTION 199.** 103.10 (1m) (b) 6. of the statutes is renumbered 103.10 (1) (gd).

**SECTION 200.** 103.10 (1m) (b) 7. of the statutes is renumbered 103.10 (1) (m).

**SECTION 201.** 103.10 (2) (c) of the statutes is amended to read:

103.10 (2) (c) This section only applies to an employee who has been employed by the same employer for more than 52 consecutive weeks and who worked for the employer for at least ~~1,000~~ 680 hours during the preceding 52-week period.

**SECTION 202.** 103.10 (3) (a) of the statutes is repealed.

**SECTION 203.** 103.10 (3) (b) 3. of the statutes is amended to read:

103.10 (3) (b) 3. To care for the employee's child, spouse, domestic partner, ~~or~~ parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner, ~~or~~ parent, grandparent, grandchild, or sibling has a serious health condition.

**SECTION 204.** 103.10 (3) (b) 4. of the statutes is created to read:

103.10 (3) (b) 4. Because of any qualifying exigency, as determined by the department by rule, arising out of the fact that the spouse, child, domestic partner, parent, grandparent, grandchild, or sibling of the employee is on covered active duty or has been notified of an impending call or order to covered active duty.

**SECTION 205.** 103.10 (3) (b) 5. of the statutes is created to read:

103.10 (3) (b) 5. Because there is an unforeseen or unexpected short-term gap in childcare for the employee's child, grandchild, or sibling that the employee must fill. The department may define by rule "unforeseen or unexpected short-term gap in childcare."

**SECTION 206.** 103.10 (3) (b) 6. of the statutes is created to read:

103.10 (3) (b) 6. To care for the employee's child, spouse, domestic partner, parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner, parent, grandparent, grandchild, or sibling is in medical isolation.

**SECTION 207.** 103.10 (3) (b) 7. of the statutes is created to read:

103.10 (3) (b) 7. To address issues of the employee or the employee's child, spouse, domestic partner, parent, grandparent, grandchild, or sibling related to being the victim of domestic abuse, sexual abuse, or stalking.

**SECTION 208.** 103.10 (4) (a) of the statutes is amended to read:

103.10 (4) (a) Subject to ~~pars. (b) and par. (c)~~ and sub. (4m), an employee who is in medical isolation or has a serious health condition which makes the employee unable to perform his or her employment duties may take medical leave for the period during which he or she is unable to perform those duties.

**SECTION 209.** 103.10 (4) (b) of the statutes is repealed.

**SECTION 210.** 103.10 (4m) of the statutes is created to read:

103.10 (4m) DURATION OF LEAVE. In a 12-month period, no employee may take more than 8 weeks of leave for any combination of reasons specified under sub. (3) or (4).

**SECTION 211.** 103.10 (6) (b) (intro.) of the statutes is amended to read:

103.10 (6) (b) (intro.) If an employee intends to take family leave because of the planned medical treatment or supervision of a child, spouse, domestic partner, ~~or parent, grandparent, grandchild, or sibling~~ or intends to take medical leave because of the planned medical treatment or supervision of the employee, the employee shall do all of the following:

**SECTION 212.** 103.10 (6) (b) 1. of the statutes is amended to read:

103.10 (6) (b) 1. Make a reasonable effort to schedule the medical treatment or supervision so that it does not unduly disrupt the employer's operations, subject to the approval of the health care provider of the child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee.

**SECTION 213.** 103.10 (6) (c) of the statutes is created to read:

103.10 (6) (c) If the employee intends to take family leave under sub. (3) (b) 4. that is foreseeable because the spouse, child, domestic partner, parent, grandparent, grandchild, or sibling of the employee is on covered active duty or has been notified of an impending call or order to covered active duty, the employee shall provide notice of that intention to the employer in a reasonable and practicable manner.

**SECTION 214.** 103.10 (7) (a) of the statutes is amended to read:

103.10 (7) (a) If an employee requests family leave for a reason described in sub. (3) (b) 3. or requests medical leave due to a serious health condition, the employer may require the employee to provide certification, as described in par. (b), issued by the health care provider or Christian Science practitioner of the child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee, whichever is appropriate.

**SECTION 215.** 103.10 (7) (b) (intro.) of the statutes is amended to read:

103.10 (7) (b) (intro.) No employer may require certification under par. (a) stating more than the following:

**SECTION 216.** 103.10 (7) (b) 1. of the statutes is amended to read:

103.10 (7) (b) 1. That the child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee has a serious health condition.

**SECTION 217.** 103.10 (7) (cm) of the statutes is created to read:

103.10 (7) (cm) If an employee requests family leave for a reason described in sub. (3) (b) 3., the employer may require the employee to provide certification that the employee is responsible for the care of a child, spouse, domestic partner, parent, grandparent, grandchild, or sibling with a serious health condition.

**SECTION 218.** 103.10 (7) (d) of the statutes is created to read:

103.10 (7) (d) If an employee requests family leave under sub. (3) (b) 4., the employer may require the employee to provide certification that the spouse, child, domestic partner, parent, grandparent, grandchild, or sibling of the employee is on covered active duty or has been notified of an impending call or order to covered active duty. The certification under this paragraph shall be issued at such time and



in such manner as the department may prescribe by rule, and the employee shall provide a copy of that certification to the employer in a timely manner.

**SECTION 219.** 103.10 (7) (e) of the statutes is created to read:

103.10 (7) (e) If an employee requests family leave under sub. (3) (b) 5., the employer may require the employee to provide certification that there is an unforeseen or unexpected short-term gap in childcare, as defined in rule by the department, for the employee's child, grandchild, or sibling that the employee must fill. The department may prescribe by rule the form and content of the certification.

**SECTION 220.** 103.10 (7) (f) of the statutes is created to read:

103.10 (7) (f) 1. If an employee requests family leave under sub. (3) (b) 6., or medical leave due to medical isolation, the employer may require the employee to provide certification issued by a local public health official, the department of health services, or a health care provider or Christian Science practitioner of the child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee, whichever is appropriate, except that no employer may require certification under this paragraph if the sole reason for the medical isolation is due to the employer's request under sub. (1) (em) 3. No employer may require certification under this subdivision stating more than that the child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee is in medical isolation.

2. If an employee requests family leave under sub. (3) (b) 6., the employer may require the employee to provide certification that the employee is responsible for the

care of a child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee who is in medical isolation.

**SECTION 221.** 103.10 (7) (g) of the statutes is created to read:

103.10 (7) (g) If an employee requests family leave under sub. (3) (b) 7., the employer may require the employee to provide certification that the employee is addressing issues of the employee or the employee's child, spouse, domestic partner, parent, grandparent, grandchild, or sibling related to being the victim of domestic abuse, sexual abuse, or stalking.

**SECTION 222.** 103.10 (10) of the statutes is amended to read:

103.10 (10) ALTERNATIVE EMPLOYMENT. Nothing in this section prohibits an employer and an employee with a serious health condition or in medical isolation from mutually agreeing to alternative employment for the employee while the serious health condition or medical isolation lasts. No period of alternative employment, with the same employer, reduces the employee's right to family leave or medical leave.

**SECTION 223.** 103.10 (12) (b) of the statutes is amended to read:

103.10 (12) (b) An employee who believes his or her employer has violated sub. (11) (a) or (b) may, within ~~30~~ 300 days after the violation occurs or the employee should reasonably have known that the violation occurred, whichever is later, file a complaint with the department alleging the violation. Except as provided in s. 230.45 (1m), the department shall investigate the complaint and shall attempt to resolve the complaint by conference, conciliation or persuasion. If the complaint is not resolved and the department finds probable cause to believe a violation has

occurred, the department shall proceed with notice and a hearing on the complaint as provided in ch. 227. The hearing shall be held within 60 days after the department receives the complaint.

**SECTION 224.** 103.10 (12) (c) of the statutes is amended to read:

103.10 (12) (c) If 2 or more health care providers disagree about any of the information required to be certified under sub. (7) (b), the department may appoint another health care provider to examine the child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee and render an opinion as soon as possible. The department shall promptly notify the employee and the employer of the appointment. The employer and the employee shall each pay 50 percent of the cost of the examination and opinion.

**SECTION 225.** 103.10 (14) (a) of the statutes is renumbered 103.10 (14).

**SECTION 226.** 103.10 (14) (b) of the statutes is repealed.

**SECTION 227.** 115.3615 of the statutes is renumbered 49.39 and amended to read:

**49.39 Head start supplement.** From the appropriation under s. ~~20.255~~ 20.437 (2) (eh), the ~~state superintendent~~ secretary shall distribute funds to agencies determined by the ~~state superintendent~~ secretary to be eligible for designation as head start agencies under 42 USC 9836 to provide comprehensive health, educational, nutritional, social, and other services to economically disadvantaged children and their families. The ~~state superintendent~~ secretary shall distribute the funds in a manner consistent with 42 USC 9831 to 9852 except that there is no matching fund requirement. The ~~state superintendent~~ secretary

shall give preference in funding under this section to agencies that are receiving federal funds under 42 USC 9831 to 9852 and to agencies that operate full-time or early head start programs. Funds distributed under this section may be used to match available federal funds under 42 USC 9831 to 9852 only if the funds are used to secure additional federal funds for the purposes under this section.

**SECTION 228.** 165.68 (1) (a) 3. of the statutes is amended to read:

165.68 (1) (a) 3. Sexual abuse, as defined in s. 103.10 ~~(1m) (b) 6~~ (1) (gd).

**SECTION 229.** 230.12 (9m) of the statutes is created to read:

230.12 **(9m)** PAID FAMILY AND MEDICAL LEAVE. (a) *Definitions.* In this subsection:

1. “Family leave” means leave from employment for a reason specified in s. 103.10 (3) (b).

2. “Medical isolation” means any of the following:

a. When a health care professional, a local health officer, or the department of health services advises that an individual seclude herself or himself from others when the individual is awaiting the result of a diagnostic test for a communicable disease or when the individual is infected with a communicable disease.

b. When a local health officer or the department of health services advises that an individual isolate or quarantine under s. 252.06.

c. When an individual’s employer advises that the individual not come to the workplace due to a concern that the individual may have been exposed to or infected with a communicable disease.

3. “Medical leave” means leave from employment when an employee is in

medical isolation or has a serious health condition that makes the employee unable to perform his or her employment duties, or makes the employee unable to perform the duties of any suitable employment.

4. “Serious health condition” has the meaning given in s. 103.10 (1) (g).

(b) *Program.* The administrator shall develop and recommend to the joint committee on employment relations a program, administered by the division, that provides paid family and medical leave for 8 weeks per year to employees whose compensation is established under this section or s. 20.923 (2) or (3) but does not include employees of the Board of Regents of the University of Wisconsin System. The approval process for the program is the same as that provided under sub. (3) (b), and, if approved, the program shall be incorporated into the compensation plan under sub. (1).

(c) *Rules.* The administrator may promulgate rules to implement the family and medical leave program under par. (b).

**SECTION 230.** 301.12 (1) of the statutes is amended to read:

301.12 (1) Liability and the collection and enforcement of such liability for the care, maintenance, services, and supplies specified in this section is governed exclusively by this section, except in cases of child support ordered by a court under s. 938.183 (4), 938.355 (2) (b) 4. or (4g) (a), ~~938.357 (5m) (a)~~, or 938.363 (2) or ch. 767 or s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats.

**SECTION 231.** 301.12 (14) (e) 1. of the statutes is amended to read:

301.12 (14) (e) 1. An order issued under s. 938.183 (4), 938.355 (2) (b) 4. or (4g) (a), ~~938.357 (5m) (a)~~, or 938.363 (2) or s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats., for support determined under this subsection constitutes an

assignment of all commissions, earnings, salaries, wages, pension benefits, income continuation insurance benefits under s. 40.62, duty disability benefits under s. 40.65, benefits under ch. 102 or 108, and other money due or to be due in the future to the county department under s. 46.215, 46.22, or 46.23 in the county where the order was entered or to the department, depending upon the placement of the child as specified by rules promulgated under subd. 5. The assignment shall be for an amount sufficient to ensure payment under the order.

**SECTION 232.** 767.001 (1) (m) of the statutes is amended to read:

767.001 (1) (m) To enforce or revise an order for support entered under s. 48.355 (2) (b) 4. or (4g) (a), ~~48.357 (5m) (a)~~, 48.363 (2), 938.183 (4), 938.355 (2) (b) 4. or (4g) (a), ~~938.357 (5m) (a)~~, or 938.363 (2) or s. 48.355 (2) (b) 4., 2023 stats., s. 48.357 (5m) (a), 2023 stats., s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats.

**SECTION 233.** 767.511 (1m) (hm) of the statutes is amended to read:

767.511 (1m) (hm) The best interests of the child, including, with respect to a child placed with an out-of-home care provider under ch. 48 or 938, the impact on the child of expenditures by the family for improvement of any conditions in the home that would facilitate the reunification of the child with the child's family, if appropriate, and the importance of a placement that is the least restrictive of the rights of the child and the parents and the most appropriate for meeting the needs of the child and the family.

**SECTION 234.** 767.521 (intro.) of the statutes is amended to read:

**767.521 Action by state for child support.** (intro.) The state or its delegate under s. 49.22 (7) shall bring an action for support of a minor child under

s. 767.001 (1) (f) or for paternity determination and child support under s. 767.80 if the child's right to support is assigned to the state under s. 48.57 (3m) (b) 2. or (3n) (b) 2., ~~48.645 (3)~~, 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the following apply:

**SECTION 235.** 767.55 (3) (a) 2. of the statutes is amended to read:

767.55 (3) (a) 2. The child's right to support is assigned to the state under s. 48.57 (3m) (b) 2. or (3n) (b) 2., ~~48.645 (3)~~, or 49.19 (4) (h) 1. b.

**SECTION 236.** 767.57 (1m) (c) of the statutes is amended to read:

767.57 (1m) (c) The party entitled to the support or maintenance money or a minor child of the party has applied for or is receiving aid under s. 48.645 or public assistance under ch. 49 and there is an assignment to the state under s. ~~48.645 (3)~~ or 49.19 (4) (h) 1. b. of the party's right to the support or maintenance money.

**SECTION 237.** 767.57 (2) of the statutes is amended to read:

767.57 (2) PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to maintenance or support, or both, is receiving public assistance under ch. 49, the party may assign the party's right to support or maintenance to the county department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment shall be approved by order of the court granting the maintenance or support. The assignment may not be terminated if there is a delinquency in the amount to be paid to the assignee of maintenance and support previously ordered without the written consent of the assignee or upon notice to the assignee and a hearing. When an assignment of maintenance or support, or both, has been approved by the order, the assignee shall be deemed a real party in interest within s. 803.01 solely for the purpose of securing payment of unpaid maintenance or

support ordered to be paid, by participating in proceedings to secure the payment of unpaid amounts. Notwithstanding assignment under this subsection, and without further order of the court, the department or its designee, upon receiving notice that a party or a minor child of the parties is receiving aid under s. 48.645 or public assistance under ch. 49 or that a kinship care provider or long-term kinship care provider of the minor child is receiving kinship care payments or long-term kinship care payments for the minor child, shall forward all support assigned under s. 48.57 (3m) (b) 2. or (3n) (b) 2., ~~48.645 (3)~~, 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. 48.57 (3m) (b) 2. or (3n) (b) 2., ~~48.645 (3)~~, 49.19 (4) (h) 1., or 49.45 (19).

**SECTION 238.** 767.57 (4) of the statutes is amended to read:

767.57 (4) PROCEDURE FOR CERTAIN CHILD RECIPIENTS. If an order or judgment providing for the support of one or more children not receiving aid under s. 48.57 (3m) or (3n), 48.645, or 49.19 includes support for a minor who is the beneficiary of aid under s. 48.57 (3m) or (3n), 48.645, or 49.19, any support payment made under the order or judgment is assigned to the state under s. 48.57 (3m) (b) 2. or (3n) (b) 2., ~~48.645 (3)~~, or 49.19 (4) (h) 1. b. in the amount that is the proportionate share of the minor receiving aid under s. 48.57 (3m) or (3n), 48.645, or 49.19, except as otherwise ordered by the court on the motion of a party.

**SECTION 239.** 767.59 (1) of the statutes is amended to read:

767.59 (1) DEFINITION. In this section, “support or maintenance order” means a judgment or order providing for child support under this chapter or s. 48.355 (2)(b) 4. ~~or (4g) (a), 48.357 (5m) (a), 48.363 (2), 938.183 (4), 938.355 (2)(b) 4. or (4g) (a), 938.357 (5m) (a), 938.363 (2), or 948.22 (7), or s. 48.355 (2) (b) 4., 2023 stats., s. 48.357 (5m) (a), 2023 stats., s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357~~



(5m) (a), 2023 stats., for maintenance payments under s. 767.56, for family support payments under s. 767.531, 2019 stats., or for the appointment of trustees or receivers under s. 767.57 (5).

**SECTION 240.** 767.59 (1c) (a) (intro.) of the statutes is amended to read:

767.59 (1c) (a) (intro.) On the petition, motion, or order to show cause of either of the parties, the department, a county department under s. 46.215, 46.22, or 46.23, or a county child support agency under s. 59.53 (5) if an assignment has been made under s. 48.57 (3m) (b) 2. or (3n) (b) 2., ~~48.645 (3),~~ 49.19 (4) (h), or 49.45 (19) or if either party or their minor children receive aid under s. 48.57 (3m) or (3n) or 48.645 or ch. 49, a court may, except as provided in par. (b), do any of the following:

**SECTION 241.** 767.59 (2) (c) of the statutes is amended to read:

767.59 (2) (c) If the court revises a judgment or order providing for child support that was entered under s. 48.355 ~~(2) (b) 4. or~~ (4g) (a), ~~48.357 (5m) (a),~~ 48.363 (2), 938.183 (4), 938.355 ~~(2) (b) 4. or~~ (4g) (a), ~~938.357 (5m) (a),~~ or 938.363 (2) or s. 48.355 (2) (b) 4., 2023 stats., s. 48.357 (5m) (a), 2023 stats., s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats., the court shall determine child support in the manner provided in s. 49.345 (14) or 301.12 (14), whichever is applicable.

**SECTION 242.** 767.77 (1) of the statutes is amended to read:

767.77 (1) DEFINITION. In this section, “payment obligation” means an obligation to pay support under s. 48.355 ~~(2) (b) 4. or~~ (4g) (a), ~~48.357 (5m) (a),~~ 48.363 (2), 938.183 (4), 938.355 ~~(2) (b) 4. or~~ (4g) (a), ~~938.357 (5m) (a),~~ or 938.363 (2) or s. 48.355 (2) (b) 4., 2023 stats., s. 48.357 (5m) (a), 2023 stats., s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats., support or maintenance under s. 767.501, child support or maintenance under s. 767.225, child support under s. 767.511,

maintenance under s. 767.56, family support under s. 767.225, 2019 stats., or s. 767.531, 2019 stats., attorney fees under s. 767.241, child support or a child's health care expenses under s. 767.85, paternity obligations under s. 767.804 (3), 767.805 (4), 767.863 (3), or 767.89, support arrearages under s. 767.71, or child or spousal support under s. 948.22 (7).

**SECTION 243.** 767.78 (1) of the statutes is amended to read:

767.78 (1) DEFINITION. In this section, "financial obligation" means an obligation for payment incurred under s. 48.355 (2) (b) 4., 2023 stats., s. 48.357 (5m) (a), 2023 stats., s. 767.531, 2019 stats., s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats., or s. 48.355 (2) (b) 4. or (4g) (a), ~~48.357 (5m) (a), 48.363 (2), 767.225, 767.241, 767.511, 767.56, 767.61, 767.71, 767.804 (3), 767.805 (4), 767.85, 767.863 (3), 767.89, 938.183 (4), 938.355 (2) (b) 4. or (4g) (a), 938.357 (5m) (a), or 938.363 (2).~~

**SECTION 244.** 767.87 (6) (a) of the statutes is amended to read:

767.87 (6) (a) Whenever the state brings the action to determine paternity pursuant to an assignment under s. 48.57 (3m) (b) 2. or (3n) (b) 2., ~~48.645 (3), 49.19 (4) (h) 1., or 49.45 (19),~~ or receipt of benefits under s. 49.148, 49.155, 49.157, or 49.159, the natural mother of the child may not be compelled to testify about the paternity of the child if it has been determined that the mother has good cause for refusing to cooperate in establishing paternity as provided in 42 USC 602 (a) (26) (B) and the federal regulations promulgated pursuant to this statute, as of July 1, 1981, and pursuant to any rules promulgated by the department which define good cause in accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B) in effect on July 1, 1981.

**SECTION 245.** 780.01 (5) of the statutes is amended to read:

780.01 (5) For all arrearages owed by the owner in child support ordered under s. 48.355 ~~(2) (b) 4. or (4g) (a), 48.357 (5m) (a),~~ 48.363 (2), 938.183 (4), 938.355 ~~(2) (b) 4. or (4g) (a), 938.357 (5m) (a),~~ 938.363 (2), or 948.22 (7) or ch. 767 or 769 or s. 48.355 (2) (b) 4., 2023 stats., s. 48.357 (5m) (a), 2023 stats., s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats., or in family support ordered under ch. 767.

**SECTION 246.** 893.415 (2) of the statutes is amended to read:

893.415 (2) An action to collect child or family support owed under a judgment or order entered under ch. 767, or to collect child support owed under a judgment or order entered under s. 48.355 ~~(2) (b) 4. or (4g) (a), 48.357 (5m) (a),~~ 48.363 (2), 938.183 (4), 938.355 ~~(2) (b) 4. or (4g) (a), 938.357 (5m) (a),~~ 938.363 (2), or 948.22 (7) or s. 48.355 (2) (b) 4., 2023 stats., s. 48.357 (5m) (a), 2023 stats., s. 938.355 (2) (b) 4., 2023 stats., or s. 938.357 (5m) (a), 2023 stats., shall be commenced within 20 years after the youngest child for whom the support was ordered under the judgment or order reaches the age of 18 or, if the child is enrolled full-time in high school or its equivalent, reaches the age of 19.

**SECTION 247.** 938.33 (3) (intro.) and (a) of the statutes are consolidated, renumbered 938.33 (3) and amended to read:

938.33 (3) CORRECTIONAL PLACEMENT REPORTS. A report recommending placement of a juvenile in a juvenile correctional facility or a secured residential care center for children and youth shall be in writing, except that the report may be presented orally at the dispositional hearing if the juvenile and the juvenile's counsel consent. A report that is presented orally shall be transcribed and made a part of the court record. In addition to the information specified under sub. (1) (a)

to (d), the report shall include ~~all of the following: (a) A~~ a description of any less restrictive alternatives that are available and that have been considered, and why they have been determined to be inappropriate. If the court has found that any of the conditions specified in s. 938.34 (4m) (b) 1., 2., or 3. applies, the report shall indicate that a less restrictive alternative than placement in a juvenile correctional facility or a secured residential care center for children and youth is not appropriate.

**SECTION 248.** 938.33 (3) (b) of the statutes is repealed.

**SECTION 249.** 938.33 (4) (b) of the statutes is repealed.

**SECTION 250.** 938.33 (4m) of the statutes is repealed.

**SECTION 251.** 938.335 (3r) of the statutes is repealed.

**SECTION 252.** 938.355 (2) (b) 4. of the statutes is repealed.

**SECTION 253.** 938.355 (2) (b) 6. of the statutes is renumbered 938.355 (2) (b)

6. a. and amended to read:

938.355 (2) (b) 6. a. If the juvenile is placed outside the home, a finding that continued placement of the juvenile in his or her home would be contrary to the welfare of the juvenile ~~or, if,~~

b. If the juvenile has been adjudicated delinquent and is placed outside the home under s. 938.34 (3) (a), (c), (cm), or (d) or (4d), in addition to the finding under subd. 6. a., a finding that the juvenile's current residence will not safeguard the welfare of the juvenile or the community due to the serious nature of the act for which the juvenile was adjudicated delinquent.

c. The court order under subd. 6. a. or b. shall also contain a finding as to whether the county department or the agency primarily responsible for providing

services under a court order has made reasonable efforts to prevent the removal of the juvenile from the home, while assuring that the juvenile's health and safety are the paramount concerns, unless the court finds that any of the circumstances under sub. (2d) (b) 1. to 4. applies, and, if a permanency plan has previously been prepared for the juvenile, a finding as to whether the county department or agency has made reasonable efforts to achieve the permanency goal of the juvenile's permanency plan, including, if appropriate, through an out-of-state placement.

d. The court shall make the findings specified in this subdivision on a case-by-case basis based on circumstances specific to the juvenile and shall document or reference the specific information on which those findings are based in the court order. A court order that merely references this subdivision without documenting or referencing that specific information in the court order or an amended court order that retroactively corrects an earlier court order that does not comply with this subdivision is not sufficient to comply with this subdivision.

**SECTION 254.** 938.357 (5m) (a) of the statutes is repealed.

**SECTION 255.** 938.357 (5m) (b) of the statutes is renumbered 938.357 (5m).

**SECTION 256.** 938.36 (4) of the statutes is created to read:

938.36 (4) CHILD SUPPORT REFERRAL. (a) The county department or the department may refer to the attorney responsible for support enforcement under s. 59.53 (6) (a) the name of the parent or parents of a juvenile for whom an out-of-home placement has been ordered under s. 938.355 or 938.357 based on criteria established by the department by rule.

(b) The department shall promulgate rules establishing criteria for when it is appropriate for a child support referral to be made under par. (a).

**SECTION 257.** 938.363 (2) of the statutes is amended to read:

938.363 (2) REVISION OF SUPPORT. If the court revises the amount of child support to be paid by a parent under ~~the~~ a dispositional order entered before July 1, 2026, for the care and maintenance of the parent's juvenile who has been placed by a court order under this chapter in a residential, nonmedical facility, the court shall determine the liability of the parent under s. 301.12 (14).

**SECTION 258.** 938.38 (2) (f) of the statutes is amended to read:

938.38 (2) (f) The juvenile's care would be paid for under s. 49.19 but for s. 49.19 (20), except that this paragraph does not apply to a juvenile whose care is being paid for under s. 48.623 ~~(1)~~ (1r).

**SECTION 259.** 938.38 (4) (j) (intro.) of the statutes is amended to read:

938.38 (4) (j) (intro.) If the juvenile is placed in the home of a relative or other person described in s. 48.623 ~~(1)~~ (1r) (b) 1. who will be receiving subsidized guardianship payments, a description of all of the following:

**SECTION 260.** 938.38 (4) (j) 3. of the statutes is amended to read:

938.38 (4) (j) 3. The reasons why a permanent placement with a fit and willing relative or other person described in s. 48.623 ~~(1)~~ (1r) (b) 1. through a subsidized guardianship arrangement is in the best interests of the juvenile. In the case of an Indian juvenile, the best interests of the Indian juvenile shall be determined in accordance with s. 938.01 (3).

**SECTION 261.** 938.38 (4) (j) 4. of the statutes is amended to read:

938.38 (4) (j) 4. The ways in which the juvenile and the relative or other person described in s. 48.623 ~~(1)~~ (1r) (b) 1. meet the eligibility requirements specified in s. 48.623 ~~(1)~~ (1r) for the receipt of subsidized guardianship payments.

**SECTION 262.** 938.38 (4) (j) 5. of the statutes is amended to read:

938.38 (4) (j) 5. The efforts the agency has made to discuss adoption of the juvenile by the relative or other person described in s. 48.623 ~~(1)~~ (1r) (b) 1. as a more permanent alternative to guardianship and, if that relative or other person has chosen not to pursue adoption, documentation of the reasons for not pursuing adoption.

**SECTION 263.** DCF 55.02 (5g) (b) 2. of the administrative code is repealed.

**SECTION 264.** DCF 56.23 (1) (c) of the administrative code is repealed.

**SECTION 265.** DCF 58.08 (9) (c) and (d) of the administrative code are created to read:

DCF 58.08 **(9)** (c) *Exceptional payments.* A kinship care agency may issue to a relative caregiver who is receiving kinship care payments or long-term kinship care payments an exceptional payment to enable siblings or a minor parent and minor children to reside together, subject to a maximum payment amount determined by the department.

(d) *Initial clothing allowance.* A kinship care agency may pay an initial clothing allowance to a relative caregiver when the relative caregiver is initially approved by the kinship care agency. The amount of the initial clothing allowance shall be the actual cost of the clothing not to exceed a maximum determined by the department.

**“SECTION 266.** 103.08 of the statutes is created to read:

**103.08 Paid family and medical leave. (1) DEFINITIONS.** In this section:

(a) “Application year” means the 12-month period beginning on the first day of

the first calendar week for which leave benefits are claimed by an employee under this section.

(b) “Average weekly earnings” means one-thirteenth of the wages paid to an employee during the last completed calendar quarter prior to the employee’s date of eligibility for leave benefits under this section and includes all sick, holiday, vacation, and termination pay that is paid directly by an employer to an employee at the employee’s usual rate of pay during his or her last completed calendar quarter as a result of employment for an employer and any total or partial disability payments under ch. 102 or a federal law that provides for payments on account of a work-related injury or illness.

(d) “Employee” has the meaning given in s. 103.10 (b), except that it does not include employees whose compensation is established under s. 20.923 (2) or (3) or 230.12 (9m) or employees of the Board of Regents of the University of Wisconsin System.

(e) “Employer” has the meaning given in s. 103.10 (1) (c), except that it does not include any entity whose employees’ compensation is established under s. 20.923 (2) or (3) or 230.12 (9m) or the Board of Regents of the University of Wisconsin System.

(f) “Family leave” means leave from employment taken for any of the reasons under s. 103.10 (3) (b) 1. to 7.

(g) “Insurer” means a company that issues an insurance policy to an employer to provide leave benefits under this section.

(h) “Leave benefits” means benefits provided under sub. (2).



(i) “Medical leave” means leave from employment taken for any of the reasons under s. 103.10 (4).

**(2) PAID BENEFIT REQUIREMENT.** Each employer shall provide paid leave benefits to their employees for up to 8 weeks of family and medical leave in the amount specified in sub. (3). Employees shall be paid leave benefits for consecutive family and medical leave or intermittent family leave and medical leave at the employee’s sole discretion.

**(3) BENEFIT AMOUNT.** The amount of leave benefits for a week for which those benefits are payable is as follows:

(a) For the amount of the employee's average weekly earnings that are not more than 50 percent of the state annual median wage in the calendar year before the employee’s application year, 90 percent of that individual's average weekly earnings.

(b) For the amount of the employee’s average weekly earnings that are more than 50 percent of the state annual median wage in the calendar year before the employee’s application year, 50 percent of that employee’s average weekly earnings.

**(4) INSURANCE.** (a) An employer may contract with an insurance company to provide coverage for the leave benefits required under sub. (2).

(b) Employers may not deduct any fees from employee compensation for the cost of insurance coverage or otherwise charge employees for the cost of insurance coverage under this subsection.

(c) Insurance policies for leave benefits shall allow for employees to seek arbitration following a denial of leave benefits by the insurer.

**(5) FEDERAL TAX TREATMENT OF BENEFITS.** With respect to the federal income

taxation of family or medical leave insurance benefits, an employer shall do all of the following:

(a) At the time an individual files a claim for leave benefits, advise the individual that those benefits may be subject to federal income taxation, that requirements exist under federal law pertaining to estimated tax payments, and that the individual may elect to have federal income taxes withheld from the individual's benefit payments and may change that election not more than one time in an application year.

(b) Allow the individual to elect to have federal income tax deducted and withheld from the individual's benefit payments, allow the individual to change that election not more than one time in an application year, and deduct and withhold that tax in accordance with the individual's election as provided under 26 USC 3402. If the employer has contracted with an insurer, the employer shall direct the insurer to follow the provisions of this paragraph.

**(6) DENIAL OF BENEFITS; APPEALS.** An employer or an insurer that provides benefits under a policy under sub. (4) shall provide an employee with the reason for a denial for a claim for leave benefits whether in whole or in part, with information for the employee to file an appeal with the department. An employee whose claim for leave benefits under this section has been denied in whole or in part by their employer or their employer's insurer may file a complaint with the department after receiving a final denial from their employer or their employer's insurer. The department shall process the complaint in the same manner as complaints filed under s. 103.10 (12) (b) are processed. If the department finds that the employer or insurer should have paid leave benefits, the department may order the employer or

insurer to provide the benefits owed and, notwithstanding s. 814.04 (1), pay reasonable actual attorney fees to the employee.

(7) PROHIBITED ACTS. (a) No person may interfere with, restrain, or deny the exercise of any right provided under this section.

(b) No person may discharge or otherwise discriminate against any person for exercising any right provided under this section, opposing a practice prohibited under this section, filing a complaint or attempting to enforce any right provided under this section, or testifying or assisting in any action or proceeding to enforce any right provided under this section.

(c) No collective bargaining agreement or employer policy may diminish or abridge an employee's rights under this section. Any agreement purporting to waive or modify an employee's rights under this section is void as against public policy and unenforceable.

(8) NOTICE POSTED. Each employer shall post, on its website and in one or more conspicuous places where notices to employees are customarily posted, a notice in a form approved by the department setting forth employees' rights under this section. Any employer that violates this subsection shall forfeit not more than \$100 for each violation.

(9) RULES. The department shall promulgate rules to implement this section.

**SECTION 9101. Nonstatutory provisions; Administration.**

(1) PAID FAMILY AND MEDICAL LEAVE. If the paid family and medical leave program under s. 230.12 (9m) is approved by the joint committee on employment relations, it shall go into effect on January 1, 2027.

**SECTION 9106. Nonstatutory provisions; Children and Families.**

(1) CHILD CARE QUALITY IMPROVEMENT PROGRAM. Using the procedure under s. 227.24, the department of children and families may promulgate the rules required under s. 49.133 (2) as emergency rules. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until July 1, 2027, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department of children and families is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2) CHILD CARE PARTNERSHIP GRANT PROGRAM; EMERGENCY RULE MAKING. The department of children and families may promulgate emergency rules under s. 227.24 to implement s. 49.132. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until July 1, 2027, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(3) BENEFITS ELIGIBILITY SCREENING; EMERGENCY RULE-MAKING AUTHORITY. The department of children and families may use the procedure under s. 227.24 to promulgate rules under s. 48.49 for the period before the effective date of any permanent rules promulgated under s. 48.49, notwithstanding s. 227.24 (1) (c).

Notwithstanding s. 227.24 (1) (a) and (3), the department of children and families is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(4) FOSTER CARE AID-RELATED CHILD SUPPORT ARREARS. Any balance of court-ordered child support obligations assigned to this state under s. 48.645 (3), 2023 stats., is set to \$0 and is unenforceable and uncollectable. Any warrant or lien issued prior to July 1, 2026, is vacated if it is based on the alleged failure to pay such a balance or the failure to appear to a court hearing set for the purpose of enforcing the obligation assigned to the state.

(5) GRANTS FOR OUT-OF-SCHOOL TIME PROGRAMS; EMERGENCY RULE-MAKING AUTHORITY. The department of children and families may use the procedure under s. 227.24 to promulgate emergency rules under s. 48.483 for the period before the date on which permanent rules under s. 48.483 take effect. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until July 1, 2027, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department of children and families is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(6) CHILD SUPPORT DEBT REDUCTION; EMERGENCY RULE MAKING. The department of children and families may promulgate emergency rules under s.

227.24 to implement s. 49.226. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until July 1, 2027, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**SECTION 9147. Nonstatutory provisions; University of Wisconsin System.**

(1) PAID FAMILY AND MEDICAL LEAVE.

(a) *Definitions.* In this subsection:

1. “Family leave” means leave from employment for a reason specified in s. 103.10 (3) (b).

2. “Medical isolation” means any of the following:

a. When a health care professional, a local health officer, or the department of health services advises that an individual seclude herself or himself from others when the individual is awaiting the result of a diagnostic test for a communicable disease or when the individual is infected with a communicable disease.

b. When a local health officer or the department of health services advises that an individual isolate or quarantine under s. 252.06.

c. When an individual’s employer advises that the individual not come to the workplace due to a concern that the individual may have been exposed to or infected with a communicable disease.

3. “Medical leave” means leave from employment when an employee is in

medical isolation or has a serious health condition that makes the employee unable to perform his or her employment duties, or makes the employee unable to perform the duties of any suitable employment.

4. "Serious health condition" has the meaning given in s. 103.10 (1) (g).

(b) *Program plan.* The Board of Regents of the University of Wisconsin System shall submit to the administrator of the division of personnel management in the department of administration, with its recommendations for adjustments to compensation and employee benefits for employees of the system under s. 230.12 (3) (e) 1. for 2025-27, a plan for a program to provide paid family and medical leave for 8 weeks annually to employees of the system. If the the joint committee on employment relations approves the program for paid family and medical leave, it shall go into effect on January 1, 2027.

**SECTION 9250. Fiscal changes; Workforce Development.**

(1) FAMILY AND MEDICAL LEAVE EXPANSION POSITION FUNDING. In the schedule under s. 20.005 (3) for the appropriation to the department of workforce development under s. 20.445 (1) (o), the dollar amount for fiscal year 2025-26 is increased by \$103,600 to increase the authorized FTE positions for the department of workforce development by 1.0 FED project position to perform outreach and technical assistance to support the expanded family and medical leave provisions.. In the schedule under s. 20.005 (3) for the appropriation to the department of workforce development under s. 20.445 (1) (o), the dollar amount for fiscal year 2026-27 is increased by \$103,600 for the position authorized under this subsection.

(2) FAMILY AND MEDICAL LEAVE EXPANSION. In the schedule under s. 20.005 (3) for the appropriation to the department of workforce development under s.

20.445 (1) (n), the dollar amount for fiscal year 2025-26 is decreased by \$103,600 and the dollar amount for fiscal year 2026-27 is decreased by \$103,600 to reflect the position authorized under sub. (1) and the corresponding appropriation.

**SECTION 9350. Initial applicability; Workforce Development.**

(1) FAMILY AND MEDICAL LEAVE. The treatment of s. 103.10 (12) (b) first applies to a violation that occurs, or that an employee should reasonably have known occurred, on the effective date of this subsection.

(2) LEAVE BENEFITS ELIGIBILITY. The treatment of s. 103.108 (2) first applies to a period of family leave, as defined in s. 103.108 (1) (f), or a period of medical leave, as defined in s. 103.105 (1) (i), commencing on January 1, 2027.”.

**SECTION 9406. Effective dates; Children and Families.**

(1) FOSTER CARE AND KINSHIP CARE RATES. The treatment of ss. 48.57 (3m) (am) (intro.) and (3n) (am) (intro.) and 48.62 (4) (a) takes effect on January 1, 2026, or on the day after publication, whichever is later.

(2) EXPANDING ELIGIBILITY FOR SUBSIDIZED GUARDIANSHIPS AND KINSHIP CARE PAYMENTS. Notwithstanding s. 227.265, the repeal of s. DCF 55.02 (5g) (b) 2., Wis. Adm. Code, takes effect on the day after publication.

(3) BENEFITS ELIGIBILITY SCREENING. The treatment of s. 48.49 takes effect on July 1, 2027.

(4) CHILD SUPPORT ASSIGNMENT AND REFERRALS. The treatment of ss. 20.437 (2) (r), 46.10 (1) and (14) (e) 1., 48.33 (4) (b) and (4m), 48.335 (3r), 48.355 (2) (b) 4., 48.357 (5m), 48.36 (4) (a), 48.363 (2), 48.645 (3), 49.345 (1) and (14) (e) 1., 301.12 (1) and (14) (e) 1., 767.001 (1) (m), 767.511 (1m) (hm), 767.521 (intro.), 767.55 (3) (a) 2., 767.57 (1m) (c), (2), and (4), 767.59 (1), (1c) (a) (intro.), and (2) (c), 767.77 (1), 767.78



(1), 767.87 (6) (a), 780.01 (5), 893.415 (2), 938.33 (3) (intro.), (a), and (b), (4) (b), and (4m), 938.335 (3r), 938.355 (2) (b) 4., 938.357 (5m) (a) and (b), 938.36 (4) (a), and 938.363 (2) and SECTION 9106 (4) of this act take effect on July 1, 2026.

(5) CHILD SUPPORT DEBT REDUCTION. The treatment of s. 49.226 takes effect on the first day of the 7th month beginning after publication.”.

**(END)**