



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa1143/1
GMM:ahc

**SENATE AMENDMENT 1,
TO SENATE BILL 326**

October 28, 2015 - Offered by Senator COWLES.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: delete the material beginning with “investigation” and
3 ending with “cases,” on line 4 and substitute “response to those cases,”.

4 **2.** Page 2, line 2: delete “Except as provided in sub. (3m), as” and substitute
5 “~~Except as provided in sub. (3m),~~ As”.

6 **3.** Page 3, line 4: delete “the investigation of the report” and substitute “the
7 investigation of the report their response to”.

8 **4.** Page 3, line 12: after that line insert:

9 “**SECTION 3p.** 48.981 (3m) (c) 1. of the statutes is amended to read:

10 48.981 (**3m**) (c) 1. If the agency or county department determines that there
11 is reason to suspect that substantial abuse or neglect has occurred or is likely to occur
12 or that an investigation under sub. (3) is otherwise necessary to ensure the safety of
13 the child and his or her family, the agency or county department shall refer the report

1 to the sheriff or police department under sub. (3) (a) 3. and investigate the report as
2 provided in sub. (3) (c). If in conducting that investigation the agency or county
3 department determines that it is not necessary for the safety of the child and his or
4 her family to complete the investigation, the agency or county department may
5 terminate the investigation and conduct an assessment under subd. 2. If the agency
6 or county department terminates an investigation, the agency or county department
7 shall document the reasons for terminating the investigation and notify any law
8 enforcement agency that is cooperating in the investigation.

9 **SECTION 3q.** 48.981 (3m) (c) 2. b. of the statutes is amended to read:

10 48.981 **(3m)** (c) 2. b. If the agency or county department employs the
11 assessment response under subd. 2. a., the agency or county department is ~~not~~
12 ~~required to~~ shall refer the report to the sheriff or police department under sub. (3)
13 (a) 3. ~~or~~ but is not required to determine by a preponderance of the evidence under
14 sub. (3) (c) 4. that abuse or neglect has occurred or is likely to occur or that a specific
15 person has abused or neglected the child. If in conducting the assessment the agency
16 or county department determines that there is reason to suspect that substantial
17 abuse or neglect has occurred or is likely to occur or that an investigation under sub.
18 (3) (c) is otherwise necessary to ensure the safety of the child and his or her family,
19 the agency or county department shall immediately commence an investigation
20 under sub. (3) (c).

21 **SECTION 3r.** 48.981 (3m) (c) 3. of the statutes is amended to read:

22 48.981 **(3m)** (c) 3. If the agency or county department determines that there
23 is no reason to suspect that abuse or neglect has occurred or is likely to occur, the
24 agency or county department shall refer the child's family to a service provider in the
25 community for the provision of appropriate services on a voluntary basis. If the

1 agency or county department employs the community services response under this
2 subdivision, the agency or county department ~~is not required to conduct an~~
3 ~~assessment under subd. 2.,~~ shall refer the report to the sheriff or police department
4 under sub. (3) (a) 3., ~~or~~ but is not required to conduct an assessment under subd. 2.
5 or determine by a preponderance of the evidence under sub. (3) (c) 4. that abuse or
6 neglect has occurred or is likely to occur or that a specific person has abused or
7 neglected the child.”.

8 **5.** Page 3, line 15: after “4.” insert “and (3m) (c) 1., 2. b., and 3.”.

9

(END)