



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa0378/1
EHS:amn

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 242**

April 19, 2017 - Offered by Representative SUBECK.

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

2 **1.** Page 3, line 7: delete lines 7 to 10.

3 **2.** Page 3, line 18: delete lines 18 to 20.

4 **3.** Page 4, line 3: delete lines 3 to 19 and substitute:

5 “49.162 (2) (a) ~~Beginning on the effective date of the rules promulgated under~~
6 ~~sub. (7), or on the effective date of the emergency rules promulgated under 2015~~
7 ~~Wisconsin Act 55, section 9106 (2e), whichever is earlier, Except as provided in sub.~~
8 ~~(2m),~~ in order to participate in a program, an individual who applies to participate
9 in a program or who registers for a program under sub. (1) (c) 3. shall complete a
10 controlled substance abuse screening questionnaire. If, on the basis of answers to
11 the questionnaire the screening results, the administering agency determines that
12 there is a reasonable suspicion that an individual who is otherwise eligible for a

1 program is abusing a controlled substance, the administering agency shall require
2 the individual to undergo a test for the use of a controlled substance.

3 (b) If the individual refuses to submit to a test under par. (a), the individual is
4 not eligible to participate in a program until the individual complies with the
5 requirement to undergo a test for the use of a controlled substance.”.

6 **4.** Page 4, line 21: delete “(a)”.

7 **5.** Page 5, line 5: delete the material beginning with that line and ending with
8 on page 8, line 11.

9 **6.** Page 8, line 13: delete lines 13 to 23 and substitute:

10 “(1) (a) Using the procedure under section 227.24 of the statutes, the
11 department of children and families shall promulgate the rules required under
12 section 49.162 (7) of the statutes to revise chapter DCF 105 of the Administrative
13 Code to implement the changes made by this act for the period before the effective
14 date of the permanent rule promulgated under section 49.162 (7) of the statutes but
15 not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject
16 to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24
17 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide
18 evidence that promulgating a rule under this paragraph as an emergency rule is
19 necessary for the preservation of the public peace, health, safety, or welfare and is
20 not required to provide a finding of emergency for a rule promulgated under this
21 paragraph.”.

22 **7.** Page 9, line 4: delete lines 4 to 11 and substitute:

23 “(1) The treatment of section 49.162 (1) (bg) of the statutes first applies to an
24 individual who applies to participate in a program or who registers for a program

1 under section 49.162 (1) (c) 3. of the statutes on the effective date of the rules
2 promulgated under section 49.162 (7) to implement the changes made by this act or
3 on the effective date of the emergency rules promulgated under SECTION 16 (1) (a) of
4 this act, whichever is earlier.”

5

(END)