



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0813/3
GMM:kjf:jf

DOA:.....Major, BB0265 - Kinship care funding

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, if certain conditions are met, a county department of human services or social services or, in Milwaukee County, DCF must make monthly payments to a relative of a child who is providing care and maintenance for the child (kinship care payments). Currently, kinship care payments are funded from an appropriation to DCF of federal Temporary Assistance for Needy Families (TANF) block grant moneys.

This bill adds as funding sources for kinship care payments: 1) an appropriation to DCF of general purpose revenues that are used to meet maintenance-of-effort requirements under the TANF block grant program (MOE requirements); 2) an appropriation to DCF of child care and TANF overpayment recoveries and certain other state moneys that DCF elects to treat as federal revenue; and 3) an appropriation to DCF of segregated revenue from the utility public benefits fund.

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

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

20.437 (2) (dz) *Temporary Assistance for Needy Families programs; maintenance of effort.* The amounts in the schedule, ~~less the amounts withheld under s. 49.143 (3),~~ for administration and benefit payments under Wisconsin Works under ss. 49.141 to 49.161, the learnfare program under s. 49.26, and the work experience program for noncustodial parents under s. 49.36; for payments to local governments, organizations, tribal governing bodies, and Wisconsin Works agencies; for kinship care and long-term kinship care assistance as specified under s. 49.175 (1) (s); and for emergency assistance for families with needy children under s. 49.138. Payments may be made from this appropriation account for any contracts under s. 49.845 (4) and for any fraud investigation and error reduction activities under s. 49.197 (1m). Moneys appropriated under this paragraph may be used to match federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health services shall credit to this appropriation account funds for the purposes of this appropriation that the department transfers from the appropriation account under s. 20.435 (5) (bc). All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

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

48.57 (3m) (am) (intro.) From the ~~appropriation~~ appropriations under s. 20.437 (2) (dz), (md), (me), and (s), the department shall reimburse counties having populations of less than 500,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 500,000 or

more. Subject to par. (ap), a county department and, in a county having a population of 500,000 or more, the department shall make payments in the amount of \$220 per month to a kinship care relative who is providing care and maintenance for a child if all of the following conditions are met:

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

48.57 **(3n)** (am) (intro.) From the ~~appropriation~~ appropriations under s. 20.437 (2) ~~(dz)~~, ~~(md)~~, ~~(me)~~, and ~~(s)~~, the department shall reimburse counties having populations of less than 500,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 500,000 or more. Subject to par. (ap), a county department and, in a county having a population of 500,000 or more, the department shall make monthly payments for each child in the amount ~~specified in sub. (3m) (am) (intro.)~~ of \$220 per month to a long-term kinship care relative who is providing care and maintenance for that child if all of the following conditions are met:

SECTION 4. 49.175 (1) (s) of the statutes is amended to read:

49.175 **(1)** (s) *Kinship care, and long-term kinship care, and ~~foster 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 under s. 48.57 (3m), (3n), and (3p) and for foster care for relatives under s. 48.62, \$21,375,800 within the boundaries of the reservations of those tribes, \$20,582,700 in each fiscal year.

***NOTE: This is reconciled s. 49.175 (1) (s). This SECTION has been affected by drafts with the following LRB numbers: LRB-0813/2 and LRB-0850/6.

(END)