



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRB-3324/1

EHS:skw

## 2025 SENATE BILL 322

June 12, 2025 - Introduced by Senators KEYESKI, ROYS, CARPENTER, DASSLER-ALFHEIM, DRAKE, HABUSH SINYKIN, HESSELBEIN, L. JOHNSON, PFAFF, LARSON, RATCLIFF, SMITH, SPREITZER, WALL and WIRCH, cosponsored by Representatives MAYADEV, JOERS, ANDERSON, ANDRACA, ARNEY, BARE, BILLINGS, BROWN, CLANCY, CRUZ, DeSANTO, DeSMIDT, DOYLE, EMERSON, FITZGERALD, GOODWIN, HAYWOOD, HONG, HyselL, J. JACOBSON, JOHNSON, KIRSCH, MADISON, MCCARVILLE, MCGUIRE, MIRESE, MOORE OMOKUNDE, NEUBAUER, PALMERI, PHELPS, PRADO, RIVERA-WAGNER, ROE, SHEEHAN, SINICKI, SNODGRASS, SPAUDE, STROUD, STUBBS, SUBECK, TAYLOR, TENORIO, UDELL and VINING. Referred to Committee on Licensing, Regulatory Reform, State and Federal Affairs.

1     **AN ACT** *to repeal* 49.155 (1g) (i) and 49.155 (6) (e) 2., 3. and 5.; *to amend*  
2           49.175 (1) (qm); *to create* 20.437 (2) (c) and 49.133 of the statutes; **relating**  
3           **to:** a Department of Children and Families program to make payments to  
4           child care programs, granting rule-making authority, and making an  
5           appropriation.

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### *Analysis by the Legislative Reference Bureau*

This bill authorizes the Department of Children and Families to establish a program for making monthly payments and monthly per-child payments to certified child care providers, licensed child care centers, and child care programs established or contracted for by a school board. This new payment program is in addition to the current law system for providing child care payments under Wisconsin Shares. The bill requires DCF to promulgate rules to implement the program, including establishing eligibility requirements and payment amounts and setting requirements for how recipients may use the payments, and authorizes DCF to promulgate these rules as emergency rules. The bill funds the program through a new appropriation and by allocating federal moneys, including child care development funds and moneys received under the Temporary Assistance for Needy Families block grant program.

**SENATE BILL 322****SECTION 1**

The bill eliminates the current law method by which DCF may modify maximum payment rates for child care providers under Wisconsin Shares based on a child care provider's rating under the quality rating system known as YoungStar.

Wisconsin Shares is a part of the Wisconsin Works program under current law, which DCF administers and which provides work experience and benefits for low-income custodial parents who are at least 18 years old. Under current law, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, who needs child care services to participate in various education or work activities, and who satisfies other eligibility criteria may receive a child care subsidy for child care services under Wisconsin Shares.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

			<b>2025-26</b>	<b>2026-27</b>
<b>20.437</b>	<b>Children and families, department of</b>			
(2)	ECONOMIC SUPPORT			
(c)	Child care quality improvement			
	program	GPR A	221,049,600	220,991,100

**SECTION 2.** 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 3.** 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

**SENATE BILL 322****SECTION 3**

1 and monthly per-child payments to child care providers certified under s. 48.651,  
2 child care centers licensed under s. 48.65, and child care programs established or  
3 contracted for by a school board under s. 120.13 (14). The department may  
4 investigate and recover from payment recipients under this section amounts  
5 overpaid or obtained through fraud.

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

10 **SECTION 4.** 49.155 (1g) (i) of the statutes is repealed.

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

12 **SECTION 6.** 49.175 (1) (qm) of the statutes is amended to read:

13 49.175 (1) (qm) *Quality care for quality kids.* For the child care quality  
14 improvement activities specified in ss. 49.133, 49.155 (1g), and 49.257, ~~\$16,683,700~~  
15 ~~\$49,446,300~~ in each fiscal year ~~2022-23~~. ~~In fiscal year 2023-24, for such activities,~~  
16 ~~\$28,518,700. In fiscal year 2024-25, for such activities, \$46,018,700.~~

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

18 (1) CHILD CARE QUALITY IMPROVEMENT PROGRAM. Using the procedure under  
19 s. 227.24, the department of children and families may promulgate the rules  
20 authorized under s. 49.133 (2) as emergency rules. Notwithstanding s. 227.24 (1)  
21 (c) and (2), emergency rules promulgated under this subsection remain in effect  
22 until July 1, 2027, or the date on which permanent rules take effect, whichever is  
23 sooner. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department of  
24 children and families is not required to provide evidence that promulgating a rule

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## SECTION 9106

1 under this subsection as an emergency rule is necessary for the preservation of the  
2 public peace, health, safety, or welfare and is not required to provide a finding of  
3 emergency for a rule promulgated under this paragraph.

4 (END)