

1       **AN ACT** to amend 48.913 (1) (c), (i) and (m) of the statutes; **relating to:** adoption  
 2           expenses.

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

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This bill draft was prepared for the joint legislative council’s special committee on adoption and termination of parental rights law.

The bill draft places a \$300 cap on the amount that proposed adoptive parents may pay for the cost of maternity clothes for the birth mother and increases the amount proposed adoptive parents may pay for living expenses for the birth mother from \$1,000 to \$5,000 and the amount they may pay for a gift to the birth mother from \$50 to \$100.

3       **SECTION 1.** 48.913 (1) (c), (i) and (m) of the statutes are amended to read:  
 4           48.913 (1) (c) Maternity clothes for the child’s birth mother, ~~not to exceed a reasonable~~  
 5       in an amount not to exceed \$300.

6           (i) Living expenses of the child’s birth mother, in an amount not to exceed \$1,000  
 7       \$5,000, if payment of the expenses by the proposed adoptive parents or a person acting on their  
 8       behalf is necessary to protect the health and welfare of the birth mother or the fetus.

9           (m) A gift to the child’s birth mother from the proposed adoptive parents, of no greater  
 10       than \$50 \$100 in value.

**NOTE:** Under current law, the proposed adoptive parents of a child, or a person acting on behalf of the proposed adoptive parents, may pay the actual cost of any of the following:

- Preadoptive counseling for a birth parent of the child or an alleged or presumed father of the child.
- Post–adoptive counseling for a birth parent of the child or an alleged or presumed father of the child.

- Maternity clothes for the child's birth mother, not to exceed a reasonable amount.
- Local transportation expenses of a birth parent of the child that are related to the pregnancy or adoption.
- Services provided by a licensed child welfare agency in connection with the adoption.
- Medical and hospital care received by the child's birth mother in connection with the pregnancy or birth of the child, not including lost wages or living expenses.
- Medical and hospital care received by the child.
- Legal and other services received by a birth parent of the child, an alleged or presumed father of the child or the child in connection with the adoption.
- Living expenses of the child's birth mother, in an amount not to exceed \$1,000, if payment of the expenses by the proposed adoptive parents or a person acting on their behalf is necessary to protect the health and welfare of the birth mother or fetus.
- Any investigation of the proposed adoptive placement, according to a fee schedule established by the department of health and family services based on ability to pay.
- If the adoption is completed, the cost of any care provided for the child in a placement preceding placement with the adoptive parents.
- Birthing classes.
- A gift to the child's birth mother from the proposed adoptive parents, of no greater than \$50 in value.

The bill draft does the following:

- Provides that the cost for maternity clothes may not exceed \$300.
- Increases the amount that may be paid for living expenses to \$5,000.
- Increases the amount that may be paid for a gift to the birth mother to \$100.

**COMMENT:** Should the bill draft require the birth mother to provide receipts or other documentation of living expenses?