

1 **AN ACT** *to amend* 48.415 (10) (a) of the statutes; **relating to:** involuntary termination
 2 of parental rights on the ground that the child is in need of protection or services and
 3 that parental rights to another child have been terminated.

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 modifies the ground for involuntary termination of parental rights (TPR) that requires a showing of prior involuntary TPR to another child.

4 **SECTION 1.** 48.415 (10) (a) of the statutes is amended to read:
 5 48.415 (10) (a) That the child who is the subject of the petition has been adjudged to
 6 be in need of protection or services under s. 48.13 (2), (3) ~~or (3m), (8), (10), or (10m).~~

NOTE: Under current law, parental rights may be involuntarily terminated by proving both of the following:

1. The child who is the subject of the petition has been adjudged to be in need of protection or services (CHIPS) because he or she has been abandoned or has been the victim of abuse or because his or her parent neglects, refuses, or is unable for reasons other than poverty to provide necessary care, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of the child.

2. Within 3 years of the CHIPS adjudication, a court has ordered the involuntary TPR with respect to another child of the person.

The bill draft modifies the first criterion so that the ground also applies to a child who has been adjudged to be CHIPS because he or she is at substantial risk of becoming the victim of abuse; is receiving inadequate care during the period of time a parent is missing, incarcerated, hospitalized, or institutionalized; or because his or her parent is at substantial risk of neglecting, refusing, or being unable for reasons other than poverty to provide necessary care, food, clothing, medical or dental

care, or shelter so as to seriously endanger the physical health of the child, based on reliable and credible information that the child's parent has neglected, refused, or been unable for reasons other than poverty to provide necessary care, food, clothing medical or dental care, or shelter so as to endanger seriously the physical health of another child in the home.

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(END)