



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4198/1
MDE:wlj

2023 ASSEMBLY BILL 392

September 1, 2023 - Introduced by Representatives GOEBEN, HURD, BINSFELD, BRANDTJEN, EDMING, GREEN, GUNDRUM, GUSTAFSON, KRUG, MAGNAFICI, MAXEY, O'CONNOR, PENTERMAN, PETERSEN, PETRYK, PLUMER, ROZAR, SCHMIDT, STEFFEN, SUMMERFIELD, SWEARINGEN, TRANEL and VANDERMEER, cosponsored by Senators QUINN, CABRAL-GUEVARA and STROEBEL. Referred to Committee on Children and Families.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to amend* 48.65 (1); and *to create* 48.651 (4) of the statutes; **relating**
2 **to:** allowing certified child care operators to provide care to up to six children.

Analysis by the Legislative Reference Bureau

Under current law, a person must obtain a license from the Department of Children and Families in order to, for compensation including payments under Wisconsin Shares, provide care and supervision for four or more children under the age of seven for less than 24 hours a day. A person who provides care for fewer than four children under the age of seven for less than 24 hours a day may receive Wisconsin Shares payments if the person is certified by DCF. Under current DCF rules, a person certified by DCF, called a certified child care operator, may care for up to three children who are unrelated to the operator and up to six children in total.

Under this bill, certified child care operators may care for up to six children under the age of seven in total, regardless of whether the children are related to the operator.

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

3 **SECTION 1.** 48.65 (1) of the statutes is amended to read:
4 48.65 (1) ~~No~~ Except as provided under s. 48.651 (4), no person may for
5 compensation provide care and supervision for 4 or more children under the age of

ASSEMBLY BILL 392**SECTION 1**

1 7 for less than 24 hours a day unless that person obtains a license to operate a child
2 care center from the department. To obtain a license under this subsection to operate
3 a child care center, a person must meet the minimum requirements for a license
4 established by the department under s. 48.67, meet the requirements specified in s.
5 48.686, and pay the license fee under sub. (3). A license issued under this subsection
6 is valid until revoked or suspended, but shall be reviewed every 2 years as provided
7 in s. 48.66 (5).

8 **SECTION 2.** 48.651 (4) of the statutes is created to read:

9 48.651 (4) (a) Except as provided in pars. (b) and (c), a person certified under
10 this section may care for up to 6 children under the age of 7, regardless of whether
11 the children are related to the provider.

12 (b) If the person is caring for 3 children under the age of 2, the person may care
13 for up to 5 children in total.

14 (c) If the person is caring for 4 children under the age of 2, the person may care
15 for up to 4 children in total.

16 (END)