

State of Wisconsin



2009 Senate Bill 630

Date of enactment: **May 12, 2010**
Date of publication*: **May 26, 2010**

2009 WISCONSIN ACT 318

AN ACT *to create* 20.435 (2) (km) and 20.505 (8) (hm) 25. of the statutes; **relating to:** reimbursement of counties and Indian tribes for unexpected or unusually high-cost placement of Indians in mental health treatment facilities and making an appropriation.

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

SECTION 2. 20.435 (2) (km) of the statutes is created to read:

20.435 (2) (km) *Indian mental health placement.* All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 25. to reimburse an Indian tribe or band in this state or a county department as provided under 2009 Wisconsin Act ... (this act), section 4d (1) (b). No money may be encumbered from this appropriation account after June 30, 2011. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on July 1, 2011 shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 3. 20.505 (8) (hm) 25. of the statutes is created to read:

20.505 (8) (hm) 25. The amount transferred to s. 20.435 (2) (km) shall be \$250,000 or the amount remain-

ing in this appropriation after all other transfers under subsds. 1c. to 24. are made, whichever is less. No money may be transferred under this subdivision after June 30, 2011.

SECTION 4d. Nonstatutory provisions.

(1) REIMBURSEMENT FOR INDIAN MENTAL HEALTH PLACEMENT.

(a) In this subsection, "unusually high-cost" means the amount by which the cost to an Indian tribe or to a county department exceeds \$50,000 annually.

(b) The department of health services may reimburse from the appropriation account under section 20.435 (2) (km) of the statutes an Indian tribe in this state or a county department for unexpected or unusually high-cost placements by a tribal court of a member of the Indian tribe or band.

(2) REQUIRED GENERAL FUND BALANCE. Section 20.003 (4) of the statutes does not apply to the action of the legislature in enacting this act.

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].