State of Wisconsin

Date of enactment:
2025 Assembly Bill 237 Date of publication*:

2025 WISCONSIN ACT

AN ACT ***to renumber and amend*** 48.195 (3) (a); ***to amend*** 48.195 (1m) (a) (intro.), 48.355 (2d) (b) 5. and 48.415 (1m); ***to create*** 48.195 (1r) (a) 7., 48.195 (2) (d) 8., 48.195 (3) (a) 2. to 6., 48.195 (7) and 48.195 (8) of the statutes; **relating to:** various changes to the safe haven law.

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

SECTION 1. 48.195 (1m) (a) (intro.) of the statutes is amended to read:

48.195 **(1m)** (a) (intro.) In addition to being taken into custody under s. 48.19, a child whom a law enforcement officer, emergency medical services practitioner, or hospital staff member reasonably believes to be ~~72 hours~~ 30 days old or younger may be taken into custody under circumstances in which a parent of the child relinquishes custody of the child by any of the following methods and does not express an intent to return for the child:

SECTION 1c. 48.195 (1r) (a) 7. of the statutes is created to read:

48.195 **(1r)** (a) 7. The device displays a quick response code that links to the video recording described under sub. (7).

SECTION 1g. 48.195 (2) (d) 8. of the statutes is created to read:

48.195 **(2)** (d) 8. In the case of a child who the person has reason to believe is an Indian child, the tribal agent, as defined in s. 48.981 (1) (i), of the Indian child's tribe.

SECTION 1k. 48.195 (3) (a) of the statutes is renumbered 48.195 (3) (a) (intro.) and amended to read:

48.195 **(3)** (a) (intro.) Subject to par. (b), a law enforcement officer, emergency medical services practitioner, or hospital staff member who takes a child into custody under sub. (1m) (a) 1. shall make available to the parent who relinquishes custody of the child ~~the~~ a brochure that includes all of the following:

1. The maternal and child health toll-free telephone number maintained by the department under 42 USC 705 (a) (5) (E).

SECTION 1p. 48.195 (3) (a) 2. to 6. of the statutes are created to read:

48.195 **(3)** (a) 2. A statement advising the parent of all of the following:

a. That the parent has the right to remain anonymous.

b. That the provision of any identifying information is voluntary on the part of the parent, and the choice to not provide that information will not affect the parent's ability to relinquish the child.

c. That any identifying information provided by the parent will be treated as confidential.

3. An explanation of the steps the parent is required to take if the parent changes his or her mind about relinquishing the child.

4. An explanation of the importance to the future

* Section 991.11, WISCONSIN STATUTES: 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."

well-being of a child of knowing information regarding the child's social and health history.

5. An explanation of the importance to an Indian child of maintaining a social and cultural connection to the Indian child's tribe and clan and the potential benefits of tribal enrollment.

6. A quick response code that links to the video recording described under sub. (7).

SECTION 1t. 48.195 (7) of the statutes is created to read:

48.195 **(7)** BROCHURE AND VIDEO. The department shall develop written materials for inclusion in the brochure under sub. (3) (a) and a video recording of the information under sub. (3) (a) 1. to 5. The department shall consult with the Indian tribes in this state in developing the materials described in sub. (3) (a) 5.

SECTION 1x. 48.195 (8) of the statutes is created to read:

48.195 **(8)** INDIAN CHILD CUSTODY PROCEEDINGS. Section 48.028 and the federal Indian Child Welfare Act, 25 USC 1901 to 1963, apply to any Indian child who is relinquished under this section.

SECTION 2. 48.355 (2d) (b) 5. of the statutes is amended to read:

48.355 **(2d)** (b) 5. That the parent has been found under s. 48.13 (2m) to have relinquished custody of the child under s. 48.195 (1m) when the child was ~~72 hours~~ 30 days old or younger, as evidenced by a final order of a court of competent jurisdiction making that finding.

SECTION 3. 48.415 (1m) of the statutes is amended to read:

48.415 **(1m)** RELINQUISHMENT. Relinquishment, which shall be established by proving that a court of competent jurisdiction has found under s. 48.13 (2m) that the parent has relinquished custody of the child under s. 48.195 (1m) when the child was ~~72 hours~~ 30 days old or younger.