



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-3158/1
EAW:klm

2021 BILL

1 **AN ACT to renumber** 48.195 (6); **to renumber and amend** 48.195 (1) and 48.195
2 (3) (a); **to amend** 48.14 (2) (a), 48.14 (2) (b), 48.185 (2), 48.195 (2) (a), 48.195 (2)
3 (b), 48.195 (3) (title), 48.195 (3) (b), 48.195 (4) (a), 48.195 (4) (b), 48.205 (1)
4 (intro.), 48.21 (4) (intro.), 48.355 (2d) (b) 5., 48.415 (1m), 48.417 (3), 48.417 (4),
5 69.14 (3) (a) (intro.) and 69.14 (3) (c); and **to create** 48.195 (1) (b), 48.195 (1m),
6 48.195 (2) (d) 8., 48.195 (2) (e), 48.195 (3) (a) 2. to 8., 48.195 (3) (am), 48.195 (6)
7 (b), 48.205 (1) (bd), 48.21 (4m), 48.417 (1m), 69.14 (1) (i), 69.14 (3) (bm) and
8 69.14 (3) (d) of the statutes; **relating to:** various changes to the safe haven law.

Analysis by the Legislative Reference Bureau

Relinquishment of a newborn under the Safe Haven law

Under current law, a parent may relinquish a newborn child who is 72 hours old or younger to a law enforcement officer, emergency medical services practitioner, or hospital staff member, and that person is required to protect the health and safety of the child and deliver the child to the intake worker for the juvenile court. Once the child is in the custody of the intake worker, the juvenile court must determine whether to continue to hold the newborn child in custody and, within 30 days of that determination, to establish a permanency plan for the child that ensures a placement or home for the child that provides long-term stability. Under current law, the

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juvenile court may terminate parental rights of the parents of a child who has been relinquished. Under current law, a parent who relinquishes a newborn in this manner is entitled to anonymity. This law is commonly referred to as the safe haven law.

This bill makes various changes to the safe haven law. The bill applies the safe haven law to a newborn child who is 30 days old or less, and allows a parent of an Indian child to relinquish the child to a tribal official.

The bill requires a person who takes custody of a relinquished child to make a reasonable effort to provide the relinquishing parent with a brochure that includes a statement of the parent's right to remain anonymous, the steps to take if the parent changes his or her mind about relinquishment, an explanation of the importance of knowing the child's social and health history, an explanation of the importance to an Indian child of maintaining a social and cultural connection to his or her tribe, and a form on which to provide identifying information for each parent and information about the child's social and health history and tribal affiliation, if any.

Under the bill, a person who takes custody of a relinquished child must make a reasonable effort to solicit certain information about the social and health history of the child and any tribal affiliation of the child and, if the parent declines to provide the information solicited, must encourage the parent to submit the information to the county or, in Milwaukee County, to DCF at a later date. Under the bill, a person who obtains information relating to the tribal affiliation of a relinquished child must promptly transmit the information to the appropriate child welfare department, and the bill requires the child welfare department that obtains information relating to the tribal affiliation of a relinquished child to promptly transmit the information to the tribal agent of the child's tribe.

Under the bill, after the juvenile court finds that a relinquished newborn child should continue to be held in custody, the court must transfer guardianship and legal custody of the child to the appropriate public adoption agency for placement in a licensed foster home, and the court must include in the continuation of custody order a finding that there is probable cause to believe that the newborn has been relinquished. The proposed adoptive parent must sign a statement acknowledging that the proposed adoptive parent understands that there is no guarantee that the adoption will be finalized. The bill specifies that any child welfare proceeding regarding an Indian child who has been relinquished under the safe haven law must comply with the state and federal Indian Child Welfare Acts.

Under the bill, the district attorney, corporation counsel, or other official designated by a county must file a petition to terminate the parental rights of a parent of a relinquished newborn child or, if a petition has already been filed, to join in the petition. Under the bill, the petition must be filed in the county in which the relinquishment occurred no sooner than 30 days after the date on which the child was relinquished and no later than 60 days after the date on which the juvenile court found probable cause to believe that the child was relinquished.

Birth records for relinquished newborns

Under current law, a birth record must be prepared and filed within five days after an infant's birth. In the case of an infant with unknown parents (foundling),

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any person who assumes custody of the foundling must file a birth record within five days after assuming custody. A birth record for a foundling is not required to contain the name of the mother or the father of the infant but is required to be marked foundling by the local registrar. Currently, if the birth record filed at the time of birth for a foundling is found or the foundling is adopted and the adoptive parents sign a birth record giving their names as the adoptive parents, the state registrar is required to impound the foundling birth record.

The bill clarifies that a person must file a foundling birth record for an infant who is relinquished under the safe haven law in addition to filing a foundling birth record for a live born infant of unknown parentage. The bill requires any person who is required to file a foundling birth record and either files or knows of the filing of a birth record at the time of birth to notify the state registrar that the birth record filed at the time of birth and the foundling birth record are for the same infant so that the state registrar may impound a birth record. Under the bill, when a birth record filed at the time of birth is located for a foundling or if a person notifies the state registrar of the birth record filed at the time of birth for a foundling, the state registrar must impound the birth record filed at the time of birth instead of the foundling birth record. The bill maintains the current requirement for the state registrar to impound the foundling birth record for foundlings who are adopted and for whom the adoptive parents sign a birth record giving their names as the adoptive parents.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 48.14 (2) (a) of the statutes is amended to read:

2 48.14 (2) (a) For a minor, where parental rights have been terminated under
3 subch. VIII; or,

4 **SECTION 2.** 48.14 (2) (b) of the statutes is amended to read:

5 48.14 (2) (b) The appointment and removal of a guardian of the person for a
6 child under ss. 48.427, 48.43, 48.831, 48.832, 48.839 (4) (a), 48.977, and 48.978, and
7 for a child found to be in need of protection or services under s. 48.13 because the child
8 is without a parent or guardian or because custody of the child has been relinquished
9 under s. 48.195 (1).

10 **SECTION 3.** 48.185 (2) of the statutes is amended to read:

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1 48.185 (2) In an action under s. 48.41, venue shall be in the county where the
2 birth parent or child resides at the time that the petition is filed. Subject to sub. (5),
3 venue for any proceeding under s. 48.977, or any proceeding under subch. VIII when
4 the child has been placed outside the home pursuant to a dispositional order under
5 s. 48.345 or 48.347, shall be in the county where the dispositional order was issued,
6 unless the child's county of residence has changed or the parent of the child has
7 resided in a different county of this state for 6 months. ~~In either case, the Venue for~~
8 any proceeding under s. 48.13 (2m) concerning a child whose custody has been
9 relinquished under s. 48.195 (1) shall be in the county in which the relinquishment
10 occurred. Notwithstanding the venue specified in this subsection, the court may,
11 upon a motion and for good cause shown, transfer the case any action or proceeding
12 specified in this subsection, along with all appropriate records, to the county of
13 residence of the child or parent.

14 **SECTION 4.** 48.195 (1) of the statutes is renumbered 48.195 (1) (a) and amended
15 to read:

16 48.195 (1) (a) In addition to being taken into custody under s. 48.19, a child
17 whom a law enforcement officer, emergency medical services practitioner, as defined
18 in s. 256.01 (5), or hospital staff member reasonably believes to be ~~72 hours~~ 30 days
19 old or younger may be taken into custody under circumstances in which a parent of
20 the child relinquishes custody of the child to the law enforcement officer, emergency
21 medical services practitioner, or hospital staff member and does not express an
22 intent to return for the child. If a parent who wishes to relinquish custody of his or
23 her child under this ~~subsection~~ paragraph is unable to travel to a sheriff's office,
24 police station, fire station, hospital, or other place where a law enforcement officer,
25 emergency medical services practitioner, or hospital staff member is located, the

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1 parent may dial the telephone number “911” or, in an area in which the telephone
2 number “911” is not available, the number for an emergency medical service
3 provider, and the person receiving the call shall dispatch a law enforcement officer
4 or emergency medical services practitioner to meet the parent and take the child into
5 custody. A law enforcement officer, emergency medical services practitioner, or
6 hospital staff member who takes a child into custody under this subsection shall take
7 any action necessary to protect the health and safety of the child, shall, within 24
8 hours after taking the child into custody, deliver the child to the intake worker under
9 s. 48.20, and shall, within 5 days after taking the child into custody, file a birth record
10 for the child under s. 69.14 (3).

11 **SECTION 5.** 48.195 (1) (b) of the statutes is created to read:

12 48.195 (1) (b) In addition to being taken into custody under par. (a) or s. 48.19,
13 an Indian child whom a tribal official reasonably believes to be 30 days old or younger
14 may be taken into custody under circumstances in which a parent of the Indian child
15 relinquishes custody of the child to the tribal official and does not express an intent
16 to return for the child. A tribal official who takes an Indian child into custody under
17 this paragraph shall take any action necessary to protect the health and safety of the
18 child, shall, within 24 hours after taking the child into custody, deliver the child to
19 the intake worker under s. 48.20, and shall, within 5 days after taking the child into
20 custody, file a birth record for the child under s. 69.14 (3).

21 **SECTION 6.** 48.195 (1m) of the statutes is created to read:

22 48.195 (1m) INDIAN CHILD. If the intake worker to whom a child is delivered as
23 provided in sub. (1) knows or has reason to know that the child is an Indian child,
24 the intake worker shall notify the Indian child’s tribe as provided in s. 48.028 (4) (a),

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1 and s. 48.028 and the federal Indian Child Welfare Act, 25 USC 1901 to 1963, shall
2 apply to any Indian child custody proceeding involving the Indian child.

3 **SECTION 7.** 48.195 (2) (a) of the statutes is amended to read:

4 48.195 (2) (a) Except as provided in this paragraph, a parent who relinquishes
5 custody of a child under sub. (1) and any person who assists the parent in that
6 relinquishment have the right to remain anonymous. The exercise of that right shall
7 not affect the manner in which a law enforcement officer, emergency medical services
8 practitioner, as defined in s. 256.01 (5), or hospital staff member performs his or her
9 duties under this section. No person may ~~induce or coerce~~ or attempt to ~~induce or~~
10 ~~coerce or, except as provided under sub. (3) (am), induce or attempt to induce~~ a parent
11 or person assisting a parent who wishes to remain anonymous into revealing his or
12 her identity, unless the person has reasonable cause to suspect that the child has
13 been the victim of abuse or neglect or that the person assisting the parent is coercing
14 the parent into relinquishing custody of the child.

15 **SECTION 8.** 48.195 (2) (b) of the statutes is amended to read:

16 48.195 (2) (b) A parent who relinquishes custody of a child under sub. (1) and
17 any person who assists the parent in that relinquishment may leave the presence of
18 the law enforcement officer, emergency medical services practitioner, as defined in
19 s. 256.01 (5), ~~or hospital staff member,~~ or tribal official who took custody of the child
20 at any time, and no person may follow or pursue the parent or person assisting the
21 parent, unless the person has reasonable cause to suspect that the child has been the
22 victim of abuse or neglect or that the person assisting the parent has coerced the
23 parent into relinquishing custody of the child.

24 **SECTION 9.** 48.195 (2) (d) 8. of the statutes is created to read:

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

4 **SECTION 10.** 48.195 (2) (e) of the statutes is created to read:

5 48.195 (2) (e) Notwithstanding par. (d), a person who obtains information
6 relating to the tribal affiliation of a child relinquished under sub. (1) shall promptly
7 transmit the information to the county department in the county where the child was
8 relinquished or, if the child was relinquished in a county having a population of
9 750,000 or more, to the department. The department or a county department that
10 obtains information relating to the tribal affiliation of a child relinquished under
11 sub. (1) shall promptly transmit the information to the tribal agent, as defined in s.
12 48.981 (1) (i), of the Indian child's tribe.

13 **SECTION 11.** 48.195 (3) (title) of the statutes is amended to read:

14 48.195 (3) (title) INFORMATION FOR PARENT; INFORMATION REGARDING CHILD.

15 **SECTION 12.** 48.195 (3) (a) of the statutes is renumbered 48.195 (3) (a) (intro.)
16 and amended to read:

17 48.195 (3) (a) (intro.) Subject to par. (b), a law enforcement officer, emergency
18 medical services practitioner, as defined in s. 256.01 (5), ~~or hospital staff member, or~~
19 tribal official who takes a child into custody under sub. (1) shall make available to
20 the parent who relinquishes custody of the child ~~the~~ and any person present with the
21 parent during relinquishment a brochure that includes all of the following:

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

24 **SECTION 13.** 48.195 (3) (a) 2. to 8. of the statutes are created to read:

25 48.195 (3) (a) 2. A statement advising the parent of all of the following:

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- 1 a. That the parent has the right to remain anonymous.
- 2 b. That the provision of any identifying information is voluntary on the part of
- 3 the parent, and the choice to not provide that information will not affect the parent's
- 4 ability to relinquish the child.
- 5 c. That any identifying information provided by the parent will be treated as
- 6 confidential.
- 7 3. An explanation of the steps the parent is required to take if the parent
- 8 changes his or her mind about relinquishing the child.
- 9 4. An explanation of the importance to the future well-being of a child of
- 10 knowing information regarding the child's social and health history.
- 11 5. An explanation of the importance to an Indian child of maintaining a social
- 12 and cultural connection to the Indian child's tribe and clan and the potential benefits
- 13 of tribal enrollment.
- 14 6. A form on which to provide all of the following information:
- 15 a. The name, address, telephone number, and any other identifying
- 16 information of each parent and any person assisting a parent in the relinquishment.
- 17 b. Information on the ethnicity and race of the child.
- 18 c. Information regarding any tribal affiliation of the child, including the
- 19 identity, tribal affiliation, and birth dates of the child's parents and grandparents.
- 20 d. Information regarding the social and health history of the child and of each
- 21 parent.
- 22 7. A postage-paid envelope addressed to the county department of the county
- 23 in which the relinquishment occurs or, if the relinquishment occurs in a county
- 24 having a population of 750,000 or more, the department, and instructions to use the
- 25 envelope to return the completed forms.

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1 **SECTION 14.** 48.195 (3) (am) of the statutes is created to read:

2 48.195 (3) (am) Subject to par. (b), a law enforcement officer, emergency
3 medical services practitioner, hospital staff member, or tribal official who takes a
4 child into custody under sub. (1) shall, at the time of taking custody of the child, make
5 a reasonable effort to do all of the following:

6 1. Review the information provided under par. (a) 1. to 5. with, or play a video
7 recording of that information for, the parent who relinquishes custody of the child.

8 2. Read aloud or play a video recording of the explanation under par. (a) 5. for
9 the parent who relinquishes custody of the child.

10 3. Assist the parent in completing the form described in par. (a) 6. and in
11 returning the completed form to the county department of the county in which the
12 relinquishment occurs or, if the relinquishment occurs in a county having a
13 population of 750,000 or more, the department.

14 4. If the parent declines to review the materials under subd. 1. or to complete
15 the form under subd. 3., encourage the parent to take the materials, to review them
16 at a later time, and to return the completed form in the return envelope.

17 **SECTION 15.** 48.195 (3) (b) of the statutes is amended to read:

18 48.195 (3) (b) The ~~decision~~ decisions whether to accept the information made
19 available under par. (a) ~~is, to engage in the review of that information under par. (am)~~
20 1., and to provide the information under par. (am) 3. or 4. are entirely voluntary on
21 the part of the parent. No person may ~~induce or coerce or attempt to induce or coerce~~
22 or, except as provided in par. (am), induce or attempt to induce any parent into
23 accepting that the information made available under par. (a), engaging in the review
24 under par. (am) 1., or providing the information under par. (am) 3. or 4.

25 **SECTION 16.** 48.195 (4) (a) of the statutes is amended to read:

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1 48.195 (4) (a) Any parent who relinquishes custody of his or her child under
2 sub. (1) and any person who assists the parent in that relinquishment are immune
3 from any civil or criminal liability for any good faith act or omission in connection
4 with that relinquishment. The immunity granted under this paragraph includes
5 immunity for exercising the right to remain anonymous under sub. (2) (a), the right
6 to leave at any time under sub. (2) (b), ~~and~~ the right not to accept any information
7 under sub. (3) (b), the right not to engage in the review under sub. (3) (am) 1., and
8 the right not to complete the form under sub. (3) (am) 3. and immunity from
9 prosecution under s. 948.20 for abandonment of a child or under s. 948.21 for
10 neglecting a child.

11 **SECTION 17.** 48.195 (4) (b) of the statutes is amended to read:

12 48.195 (4) (b) Any law enforcement officer, emergency medical services
13 practitioner, as defined in s. 256.01 (5), ~~or hospital staff member,~~ or tribal official who
14 takes a child into custody under sub. (1) is immune from any civil liability to the
15 child's parents, or any criminal liability, for any good faith act or omission occurring
16 solely in connection with the act of receiving custody of the child from the child's
17 parents, but is not immune from any civil or criminal liability for any act or omission
18 occurring in subsequently providing care for the child.

19 **SECTION 18.** 48.195 (6) of the statutes is renumbered 48.195 (6) (a).

20 **SECTION 19.** 48.195 (6) (b) of the statutes is created to read:

21 48.195 (6) (b) The department shall develop written materials for inclusion in
22 the brochure under sub. (3) (a) and a video recording of the information under sub.
23 (3) (a) 1. to 5. The department shall consult with the Indian tribes in this state in
24 developing the materials described in sub. (3) (a) 5. and the portion of the form under
25 sub. (3) (a) 6. described in sub. (3) (a) 6. c. To the extent practicable, the department

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1 shall include in the portion of the form under sub. (3) (a) 6. described in sub. (3) (a)
2 6. c. the option for identification of an individual by a tribally issued identification
3 number or other method that does not reveal the individual's name.

4 **SECTION 20.** 48.205 (1) (intro.) of the statutes is amended to read:

5 48.205 (1) (intro.) A child may be held under s. 48.207 (1), 48.208 or 48.209 if
6 the intake worker determines that there is probable cause to believe the child is
7 within the jurisdiction of the court and one of the following applies:

8 **SECTION 21.** 48.205 (1) (bd) of the statutes is created to read:

9 48.205 (1) (bd) Probable cause exists to believe that a parent of the child has
10 relinquished custody of the child under s. 48.195 (1).

11 **SECTION 22.** 48.21 (4) (intro.) of the statutes is amended to read:

12 48.21 (4) CONTINUATION OF CUSTODY. (intro.) If Subject to sub. (4m), if the judge
13 or circuit court commissioner finds that the child should be continued in custody
14 under the criteria of s. 48.205, ~~he or she~~ 48.205 (bd), the judge or circuit court
15 commissioner shall enter one of the following orders:

16 **SECTION 23.** 48.21 (4m) of the statutes is created to read:

17 48.21 (4m) CONTINUATION OF CUSTODY; RELINQUISHED NEWBORN CHILD. If the
18 judge or circuit court commissioner finds that a child who has been taken into
19 custody under s. 48.195 (1) should be continued in custody under the criteria of s.
20 48.205, the judge or circuit court commissioner shall transfer guardianship and legal
21 custody of the child to the department, a child welfare agency licensed under s. 48.61
22 (5), or a county department authorized to accept guardianship under s. 48.57 (1) (e)
23 or (hm), order the department, child welfare agency, or county department to place
24 the child for adoption under s. 48.833, and include in the continuation of custody
25 order a finding that there is probable cause to believe that a parent of the child has

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1 relinquished custody of the child as described in s. 48.13 (2m). The department, child
2 welfare agency, or county department making the placement shall require any
3 proposed adoptive parent to sign a statement acknowledging that the proposed
4 adoptive parent understands that there is no guarantee that the adoption will be
5 finalized.

6 **SECTION 24.** 48.355 (2d) (b) 5. of the statutes is amended to read:

7 48.355 (**2d**) (b) 5. That the parent has been found under s. 48.13 (2m) to have
8 relinquished custody of the child under s. 48.195 (1) when the child was ~~72 hours~~ 30
9 days old or younger, as evidenced by a final order of a court of competent jurisdiction
10 making that finding.

11 **SECTION 25.** 48.415 (1m) of the statutes is amended to read:

12 48.415 (**1m**) RELINQUISHMENT. Relinquishment, which shall be established by
13 proving that a court of competent jurisdiction has found under s. 48.13 (2m) that the
14 parent has relinquished custody of the child under s. 48.195 (1) when the child was
15 ~~72 hours~~ 30 days old or younger.

16 **SECTION 26.** 48.417 (1m) of the statutes is created to read:

17 48.417 (**1m**) RELINQUISHED CHILD; WHEN PETITION REQUIRED. If the court has
18 found, under s. 48.21 (4m), probable cause to believe that a parent of the child has
19 relinquished custody of the child as described in s. 48.13 (2m), the district attorney,
20 corporation counsel, or other appropriate official designated under s. 48.09 of the
21 county in which the relinquishment occurred shall file a petition under s. 48.42 (1)
22 to terminate the parental rights of the parent or parents of the child or, if a petition
23 under s. 48.42 (1) to terminate those parental rights has already been filed, shall join
24 in the petition no earlier than 30 days after the date on which the child was

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1 relinquished and no later than 60 days after the date on which the court found
2 probable cause to believe that the child was relinquished.

3 **SECTION 27.** 48.417 (3) of the statutes is amended to read:

4 48.417 (3) CONCURRENT ADOPTION EFFORTS REQUIRED. If a petition is filed or
5 joined in as required under sub. (1) or (1m), the agency primarily responsible for
6 providing services to the child under a court order shall, during the pendency of the
7 proceeding on the petition, work with the agency identified in the report under s.
8 48.425 (1) (f) that would be responsible for accomplishing the adoption of the child
9 in processing and approving a qualified family for the adoption of the child.

10 **SECTION 28.** 48.417 (4) of the statutes is amended to read:

11 48.417 (4) NOTICE TO DEPARTMENT. If a petition is filed or joined in as required
12 under sub. (1) or (1m), the person who filed or joined in the petition shall notify the
13 department of that filing or joinder.

14 **SECTION 29.** 69.14 (1) (i) of the statutes is created to read:

15 69.14 (1) (i) *Relinquished child.* The filing of a birth record under this
16 subsection does not affect the obligation of a person to file a birth record under sub.
17 (3) if the person assumes custody of a child relinquished under s. 48.195.

18 **SECTION 30.** 69.14 (3) (a) (intro.) of the statutes is amended to read:

19 69.14 (3) (a) (intro.) Any person who assumes custody of a live born infant of
20 unknown parentage or an infant relinquished under s. 48.195 shall file a birth record
21 for the infant within 5 days after assuming custody and shall file the birth record
22 with the following information:

23 **SECTION 31.** 69.14 (3) (bm) of the statutes is created to read:

24 69.14 (3) (bm) Notwithstanding s. 48.195 (2) (d), any person who is required
25 to file a birth record under this subsection and who is required to file a birth record

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1 under sub. (1), or who knows of the existence of a birth record filed under sub. (1),
2 shall notify the state registrar that the registrant of the birth record filed under sub.
3 (1) and the registrant of the birth record filed under this subsection are the same.

4 **SECTION 32.** 69.14 (3) (c) of the statutes is amended to read:

5 69.14 (3) (c) If at any time after a birth record is filed for a registrant under this
6 subsection a birth record filed for the registrant at the time of birth of the registrant
7 is found ~~or the registrant is adopted and the adoptive parents sign a birth record~~
8 giving their names as the adoptive parents or if the state registrar is notified under
9 par. (bm) of a birth record filed under sub. (1), the state registrar shall impound the
10 birth record filed under this subsection at the time of birth or under sub. (1) and
11 prohibit access except by court order or except by the state registrar for processing
12 purposes. If the registrant of a birth record filed under this subsection is adopted and
13 the adoptive parents sign a birth record giving their names as the adoptive parents,
14 the state registrar shall impound the birth record filed under this subsection and
15 prohibit access except by court order or except by the state registrar for processing
16 purposes.

17 **SECTION 33.** 69.14 (3) (d) of the statutes is created to read:

18 69.14 (3) (d) The filing of a birth record under this subsection does not affect
19 the obligation of a filing party, as described under sub. (1) (c), to file a birth record
20 under sub. (1).

21 **SECTION 34. Initial applicability.**

22 (1) TERMINATION OF PARENTAL RIGHTS AND ADOPTIVE PLACEMENT OF NEWBORN CHILD
23 WHOSE CUSTODY HAS BEEN RELINQUISHED. This act first applies to a child whose custody
24 is relinquished, as described in s. 48.195 (1), on the effective date of this subsection.

25 **SECTION 35. Effective date.**

