

## CHAPTER 206. PUBLIC ASSISTANCE

### Article I. Fraud

#### §206-1. Prohibited acts.

It shall be a violation of this article for any person to do any of the following acts, and any person who violates this article by doing any of the following acts shall be subject to the penalties provided in § 206-4 of this article.

A. No person shall willfully make any false representation with the intent to secure public assistance for him/herself or for some other person.

B. No person shall willfully do any act designed to interfere with the proper administration of the public assistance program.

C. No person may accept any monetary benefits, any supplies or articles furnished to another person as public assistance in exchange for or in payment for anything else of value.

D. No dependent person may sell or exchange supplies or articles furnished to that dependent person as assistance by Green Lake County with the intent to defraud Green Lake County, nor may that dependent person dispose of such supplies or articles in any other way than as directed by Green Lake County, with the intent to defraud Green Lake County. No person may purchase any article knowing it has been furnished to another person as public assistance.

E. No person may, without legal authority, send or bring, cause to be sent or brought, or advise any dependent person to go to or come to Green Lake County for the purpose of making that dependent person a charge upon the County.

F. No person in charge of the public assistance program nor any of that person's assistants may receive or solicit any commission nor derive nor seek to obtain any financial gain through any purchase, sale, disbursement, or contract for supplies or other property used in administration of the public assistance program.

G. Any person who is originally eligible for assistance and thereafter receives any income or assets, or both, must notify the officer or agency granting such assistance of the receipt of those assets within 10 days after the receipt of those assets if that person continues to receive aid. Failure to so notify is a violation of this article.

H. No dependent person may use money, checks, share drafts, other drafts, vouchers, debit cards or any other item of value furnished to that dependent person as relief for purposes other than those purposes as directed by the County when furnishing such relief.

I. Any person who obtains for himself or herself or for any other person or dependents, or both, assistance under Ch. 49, Wis. Stats., on the basis of facts stated to the County authority charged with the responsibility of furnishing such assistance must notify the County authorities furnishing assistance within 10 days of any change in those facts originally stated by the person. If that person continues to receive assistance based on the originally stated facts, failure to so notify within 10 days is a violation of this subsection. The negotiation of a check, share draft, or other draft received in payment of such assistance by the recipient or the withdrawal of any funds credited to the recipient's account through the use of any other money transfer technique after any change in such facts which would render the person ineligible for such assistance had the change in facts been properly reported shall be prima facie evidence of fraud in any such case and a violation of this subsection.

### **§206-2. Effect of application.**

Any person who makes any statement in a written application for aid under Ch. 49, Wis. Stats., shall be considered to have made an admission as to the existence, correctness, and validity of any facts stated which shall be taken as prima facie evidence against the party making it in any complaint, information, or indictment and in any action or proceeding brought for enforcement of any provision of this article.

### **§206-3. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

#### **DEPENDENT PERSON**

The definition as found in § 49.01(2), Wis. Stats.

#### **PERSON**

Includes all partnerships, associations, and bodies politic or corporate as well as individuals.

#### **PUBLIC ASSISTANCE**

Includes assistance obtained through the following programs: Aid to Families with Dependent Children, (AFDC), Food Stamps, Medical Assistance, General Relief and Energy Assistance.

### **§206-4. Violations and penalties.**

A. Any person who violates any provision of this article shall, upon conviction, be subject to a forfeiture not less than \$500.00 but not to exceed \$5,000.00, together with costs, penalty assessments and restitution.

B. This penalty provision shall apply to any person who is determined to be guilty of trying to obtain public assistance based on fraudulent claims, even if there has been no overissuance established.

**§ 206-5. Incorporation of statutory provisions.**

A. Any future amendments, revisions, or modifications to Wis. Stats. Chapter 49, are hereby incorporated herein and are intended to be made a part of this article the same as such amendments, revisions, or modifications are made to the corresponding state statutes.

B. Should any part of this Ordinance be found to be void or unconstitutional by a Court of competent jurisdiction, the remainder of the ordinance shall be considered severable and shall remain in full force and effect.

Approved DHHS Board 10/8/13  
Approved County Board 10/15/13