

2013 DRAFTING REQUEST

Senate Amendment (SA-AB33)

Received: 3/11/2014 Received By: phurley
Wanted: As time permits Same as LRB:
For: Joseph Leibham (608) 266-2056 By/Representing:
May Contact: Drafter: phurley
Subject: Correctional System - jails Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Leibham@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Collecting expenses from prisoners

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 3/11/2014	kfollett 3/11/2014	jmurphy 3/11/2014	_____	srose 3/11/2014	srose 3/11/2014	

FE Sent For:

<END>

2013 DRAFTING REQUEST

Senate Amendment (SA-AB33)

Received: 3/11/2014 Received By: phurley
Wanted: As time permits Same as LRB:
For: Joseph Leibham (608) 266-2056 By/Representing:
May Contact: Drafter: phurley
Subject: Correctional System - jails Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Leibham@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Collecting expenses from prisoners ✓

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 3/11/2014	1/15f 3/11	1/15f 3/11	_____	_____	_____	_____

FE Sent For:

<END>

Hurley, Peggy

From: Moench, Lucas
Sent: Tuesday, March 11, 2014 3:51 PM
To: Hurley, Peggy
Subject: Amendment Drafting Request-AB 33

Peggy-

Can you draft us a senate amendment to AB 33? Under the bill as amended by Assembly Substitute Amendment 1, counties would have 24 months (instead of 12 under current law) for commencing a civil action against a released prisoner. The amendment we would like drafted should: specify that for actions commenced after 12 months and before the maximum 24 specified in ASA 1, the county may only collect on medical expenses associated with the released prisoner, and may not collect for other expenses. Recovery for non-medical expenses would need to be commenced within the first 12 months.

I hope this is clear. Let me know if you have any questions.

The plan right now is for this bill to be voted on in committee on Thursday, so if you could turn the amendment around by sometime tomorrow, that would be ideal.

Thanks,

Lucas Moench
Chief of Staff
State Senator Joe Leibham
9th Senate District
608-266-2056



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 33**

May 22, 2013 - Offered by Representative ENDSLEY.

1 **AN ACT** *to amend* 302.372 (2) (d) and 302.372 (6) (a); and *to create* 302.372 (7)
2 of the statutes; **relating to:** extending the time period for counties to seek
3 reimbursement from prisoners for expenses associated with confinement in
4 jail.

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

5 **SECTION 1.** 302.372 (2) (d) of the statutes is amended to read:
6 302.372 (2) (d) The jailer or the county shall choose, for each prisoner, whether
7 to seek reimbursement under this section or as otherwise provided in chs. 301 to 303,
8 but may not collect for the same expenses twice. The jailer or the county may choose
9 to seek reimbursement for the expenses under sub. (2) (a) using the method under
10 sub. (5), using the method under sub. (6), or certifying the expenses as a debt
11 pursuant to s. 71.935 (2) under sub. (7), or a combination of both methods, but may
12 not seek reimbursement for the same expenses twice.



senate

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 33**

4
3-12
9am

1

At the locations indicated, amend the bill, as shown by Assembly substitute amendment 1, as follows:

2

3

1. Page 2, line 2: delete "~~Within 12~~ Except as provided in sub. (7), within 24" and substitute "Within Except as provided in par. (b) or sub. (7), within 12".

4

5

2. Page 2, line 6: after that line insert:

6

"SECTION 2m. 302.372 (6) ^{am} (b) of the statutes is created to read:

7

302.372 (6) ^{am} (b) Except as provided in sub. (7), within 24 months after the release of a prisoner from jail, the county where the jail is located shall commence a civil action in circuit court to obtain a judgment for the medical expenses associated with the prisoner under sub. (2) (a) or be barred. The jailer shall provide any assistance that the county requests related to an action under this subsection."

8

9

10

11

12

3. Page 2, line 8: delete "The" and substitute "(a) Except as provided in par. (b), the".

13

