

State of Misconsin 2013 - 2014 LEGISLATURE



2013 ASSEMBLY BILL 615

January 10, 2014 – Introduced by Representatives BILLINGS, DOYLE, NASS, MILROY, KAHL, BERCEAU, DANOU, OHNSTAD and HULSEY, cosponsored by Senator VINEHOUT. Referred to Committee on Corrections.

1 AN ACT to renumber and amend 800.095 (1) (b) 3.; and to create 800.095 (1)

2 3 (b) 3. b. of the statutes; relating to: allowing municipal prisoners to be

imprisoned in a bordering county within or outside of the state.

Analysis by the Legislative Reference Bureau

Currently, if a person fails to pay a monetary judgment ordered by a municipal court, the court may suspend the person's motor vehicle operating privilege for up to two years under certain conditions, order the assignment of up to 25 percent of the person's earnings or other money due to the person to pay the judgment, order that the person be imprisoned for up to 90 days, with each day resulting in a credit of at least \$50 of the unpaid judgment, or a combination of these remedies.

If the court orders that the person be imprisoned, the person is required to be committed to a jail or house of correction in the county in which the cause of action arose. Under this bill, if the court orders that the person be imprisoned, the person may be committed to a jail in a different county within or outside of the state if all of the following requirements are met:

1. The other county borders the county in which the cause of action arose.

2. The monthly expenses charged to the municipality by the other county to imprison the defendant are at least 25 percent less than the monthly expenses charged by the county in which the cause of action arose.

3. The other county agrees to having the defendant committed to a jail in that county.

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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.** 800.095 (1) (b) 3. of the statutes is renumbered 800.095 (1) (b) 3. a. $\mathbf{2}$ and amended to read: 3 800.095 (1) (b) 3. a. The Except as provided in subd. 3. b., the defendant shall 4 be committed to a jail or a house of correction in the county in which the cause of $\mathbf{5}$ action arose. 6 c. The defendant shall be eligible for privileges under s. 303.08- or a similar 7 program in the other county if committed under subd. 3. b. The municipality shall 8 pay the expenses incurred by the county to imprison the defendant. 9 **SECTION 2.** 800.095 (1) (b) 3. b. of the statutes is created to read: 10 800.095 (1) (b) 3. b. The defendant may be committed to the jail in another 11 county within or outside of the state if the other county borders the county in which 12the cause of action arose, and the monthly expenses charged to the municipality by 13 the other county to imprison the defendant are at least 25 percent less than the monthly expenses charged by the county in which the cause of action arose, and the 1415other county agrees to having the defendant committed to the jail in that county. 16

(END)