



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT** *to repeal* 165.95 (1) (a), 165.95 (1) (b), 165.95 (2r), 165.95 (3) (a), 165.95  
2           (3) (d), 165.95 (3) (e), 165.95 (3) (f), 165.95 (3) (j), 165.95 (5m), 165.95 (8), 165.95  
3           (9) and 165.95 (10); *to renumber and amend* 165.95 (5) (a) and 165.95 (5) (b);  
4           **to amend** 20.455 (2) (em), 20.455 (2) (kn), 20.455 (2) (kv), 165.95 (1) (intro.),  
5           165.95 (2), 165.95 (3) (intro.), 165.95 (3) (b), 165.95 (3) (c), 165.95 (3) (g), 165.95  
6           (3) (h), 165.95 (3) (i), 165.95 (3) (k), 165.95 (4), 165.95 (6), 165.95 (7), 165.95  
7           (7m), 302.43, 961.472 (5) (b), 967.11 (1) and 973.155 (1m); and **to create** 15.257  
8           (3), 165.847, 165.95 (1) (ag), 165.95 (1) (am), 165.95 (1) (ar), 165.95 (3) (ae),  
9           165.95 (3) (ag), 165.95 (3) (bd), 165.95 (3) (cm) 2., 165.95 (3) (hm), 165.95 (3m),  
10          165.95 (5) (bg) and 165.95 (5p) of the statutes; **relating to:** creating the  
11          criminal justice coordinating council, providing grants to certain county or  
12          tribal criminal justice projects, and making appropriations.

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***Analysis by the Legislative Reference Bureau***

Under current law, the Department of Justice (DOJ) provides grants to counties that have established qualifying treatment and diversion (TAD) projects for persons

who are or may be charged with, or who are convicted of, offenses related to the person's use or abuse of alcohol or other drugs. TAD projects are intended to offer alternatives to prosecution or incarceration for offenders with substance abuse problems in order to reduce recidivism, promote public safety, and reduce prison and jail populations.

In order to qualify for a TAD grant, a county's project must meet certain criteria, including offering treatment for the offender's substance abuse, and coordinating with other specialists, including mental health treatment providers, social services providers, and case workers in order to provide intensive case management. Each qualifying project must be developed in collaboration with representatives from the judicial system, law enforcement and corrections, social and welfare service providers, and mental health and substance abuse treatment providers. Further, each county that receives a TAD grant creates an oversight committee with representatives from those agencies or services to administer and evaluate the project.

A qualifying TAD project is subject to state audits and each county that receives a TAD grant must submit an annual report to DOJ and to the oversight committee that details its progress in promoting public safety, reducing recidivism and lowering costs, and meeting the treatment and other needs of program participants.

Current law allows counties to administer a project jointly and requires any county that receives a grant to provide matching funds that are equal to 25 percent of the amount of the grant. Under current law, eligible projects must require participants to pay a reasonable amount for their treatment within the project.

Under current law, the governor has created by executive order a criminal justice coordinating council (CJCC), that is charged with various duties regarding criminal justice policy and administration.

This bill makes several changes to the TAD grant program. The bill also creates a CJCC in DOJ, consisting of eight members who are members by virtue of the office they hold and 11 members appointed by the governor for three-year terms. Under the bill, in addition to studying, and providing advice and making recommendations to the governor on, a variety of matters relating to the criminal justice system, CJCC advises DOJ in its administration of the TAD program.

Under the bill, counties and tribes may qualify for TAD grants; the bill allows a county or tribe to administer a program jointly with another county or tribe. Under the bill, in order to be eligible for a TAD grant, a project must operate within the continuum from arrest to discharge from supervision and provide an alternative to prosecution, incarceration, or both. Under the bill, a project need not focus solely on alcohol and other drug treatment, but must be evidence-based and designed to promote effective criminal justice policies to reduce prosecution and incarceration costs, reduce recidivism, and enhance justice and public safety.

The bill requires each project to be designed to integrate and coordinate services from several providers, including a participant's behavioral health treatment providers, case managers, and compliance monitors. The bill requires each project to use evidence-based eligibility criteria to determine who may

participate in the project and to tailor its services to the needs of each participant or target population.

The bill allows, but does not require, an eligible project to require participants to pay an amount towards their treatment. The bill eliminates the 25 percent matching funds requirement.

Under the bill, DOJ must consult with CJCC to establish eligibility criteria and to determine which county or tribe projects meet the eligibility requirements. The bill requires each county or tribe to establish a criminal justice oversight committee to develop and implement the project design and advise the county or tribe in administering and evaluating its project.

Under the bill, each county or tribe that receives a grant must, monthly, submit data requested by DOJ in order to allow DOJ to evaluate the project. The bill requires DOJ to use this data to prepare an annual progress report that it submits to the TAD council and makes available to the public. The bill requires DOJ to prepare, for submission to CJCC and to each house of the legislature, a comprehensive report every five years that includes a cost benefit analysis of the TAD grant program.

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

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

- 1           **SECTION 1.** 15.257 (3) of the statutes is created to read:
- 2           15.257 (3) CRIMINAL JUSTICE COORDINATING COUNCIL. (a) There is created in the
- 3 department of justice a criminal justice coordinating council consisting of the
- 4 following members:
- 5           1. The secretary of corrections, or his or her designee, who shall serve as
- 6 cochairperson.
- 7           2. The attorney general, or his or her designee, who shall serve as
- 8 cochairperson.
- 9           3. The state public defender, or his or her designee.
- 10          4. A sheriff.
- 11          5. A chief of police.
- 12          6. A district attorney.

- 1           7. The director of state courts, or his or her designee.
- 2           8. The secretary of workforce development, or his or her designee.
- 3           9. The secretary of children and families, or his or her designee.
- 4           10. The secretary of health services, or his or her designee.
- 5           11. The chairperson of the committee of chief judges of the circuit courts, or his  
6 or her designee.
- 7           12. A county executive or county administrator.
- 8           13. A county criminal justice coordinator or a member serving on a county  
9 criminal justice coordinating council.
- 10          14. A representative of a crime victim rights or crime victim services  
11 organization.
- 12          15. A person with experience in mental health issues and the criminal justice  
13 system.
- 14          16. A representative of a federally recognized American Indian tribe or band  
15 in this state.
- 16          17. Three other members.
- 17          (b) Each member specified in par. (a) 4. to 6. and 12. to 17. shall be appointed  
18 by the governor for a 3–year term.
- 19          (c) The members specified in par. (a) 1. to 7. shall constitute an executive  
20 committee.
- 21          (d) The criminal justice coordinating council shall meet not less than 4 times  
22 each year.

23           **SECTION 2.** 20.455 (2) (em) of the statutes, as affected by 2013 Wisconsin Act  
24 20, is amended to read:

1           20.455 (2) (em) *Alternatives to prosecution and incarceration for persons who*  
2 *use alcohol or other drugs; presentencing assessments.* The amounts in the schedule  
3 for making grants to counties and tribes under s. 165.95 (2) and entering into  
4 contracts under s. 165.95 (5p) (c).

5           **SECTION 3.** 20.455 (2) (kn) of the statutes, as affected by 2013 Wisconsin Act  
6 20, is amended to read:

7           20.455 (2) (kn) *Alternatives to prosecution and incarceration for persons who*  
8 *use alcohol or other drugs; justice information fee.* The amounts in the schedule for  
9 administering and making grants to counties and tribes under s. 165.95 (2). All  
10 moneys transferred from the appropriation account under s. 20.505 (1) (id) 5. shall  
11 be credited to this appropriation account.

12           **SECTION 4.** 20.455 (2) (kv) of the statutes, as affected by 2013 Wisconsin Act 20,  
13 is amended to read:

14           20.455 (2) (kv) *Grants for substance abuse treatment programs for criminal*  
15 *offenders projects.* All moneys received under s. 961.41 (5) (c) 2. or 973.043 for the  
16 purpose of making grants to counties and tribes under s. 165.95 (2) and entering into  
17 contracts under s. 165.95 (5p) (c).

18           **SECTION 5.** 165.847 of the statutes is created to read:

19           **165.847 Criminal justice coordinating council.** The criminal justice  
20 coordinating council shall do all of the following:

21           (1) Study and provide recommendations to the governor, the legislature, the  
22 department of corrections, the department of health services, and the department of  
23 workforce development on matters related to coordinating the services of state and  
24 local government agencies and nongovernmental entities in the criminal justice  
25 system to increase efficiency, effectiveness, and public safety.

1           (2) Provide recommendations to the governor, the legislature, the department  
2 of corrections, the department of health services, and the department of workforce  
3 development regarding the use of evidence-based practices, risk reduction  
4 programming, crime prevention, diversion, and community-based alternatives to  
5 confinement to increase public safety, reduce recidivism, and improve offender and  
6 system accountability.

7           (3) Study county-level programs related to criminal justice, including  
8 treatment alternatives, diversion initiatives, and specialty courts, and disseminate  
9 information about programs the council determines are effective and innovative.

10          (4) Facilitate the development of county or multicounty criminal justice  
11 oversight committees.

12          (5) Provide recommendations to the governor, the legislature, the department  
13 of corrections, the department of health services, and the department of workforce  
14 development regarding the collection and synthesis of real-time criminal justice  
15 data and the tracking of system indicators.

16          (6) Assist the governor in identifying stable and adequate funding sources for  
17 the criminal justice system and identifying areas where greater cost-effectiveness  
18 could be achieved.

19          (7) Assist the governor in evaluating criminal justice policies.

20          (8) Study, and make recommendations to the governor, the legislature, the  
21 department of corrections, the department of health services, and the department of  
22 workforce development regarding, areas in the criminal justice system in which  
23 improved collaboration and coordination would increase the effectiveness or  
24 efficiency of services by eliminating duplication, filling service gaps, or improving the  
25 quality of services provided.

1           **(9)** Assist the governor with strategic planning for, and management of, federal  
2 block grant or federal formula grant funds.

3           **(10)** Annually, submit a report on the progress of the council’s work to the chief  
4 clerk of each house of the legislature, for distribution to the appropriate standing  
5 committees under s. 13.172 (3), the governor, the chief justice of the supreme court,  
6 the department of corrections, the department of health services, and the  
7 department of workforce development.

8           **(11)** Develop a system that tracks and reports, on a monthly basis, state  
9 criminal justice data, including all of the following:

10           (a) The rate of violent crime, as reported by law enforcement agencies in  
11 uniform crime reports or incident-based reports.

12           (b) The average daily population of prisons and county jails.

13           (c) The number of felony criminal cases filed in circuit courts.

14           (d) The number of persons sentenced to prison by the circuit courts.

15           (e) The number of persons imprisoned due to revocation of parole or extended  
16 supervision.

17           (f) The number of persons imprisoned due to probation revocation.

18           (g) The number of persons released to parole or extended supervision.

19           (h) The number of persons placed on probation by the courts.

20           (i) The number of persons discharged from probation, parole, or extended  
21 supervision.

22           **SECTION 6.** 165.95 (1) (intro.) of the statutes, as affected by 2013 Wisconsin Act  
23 20, is amended to read:

24           165.95 (1) (intro.) In this section, ~~“violent offender” means a person to whom~~  
25 ~~one of the following applies:~~



1           **SECTION 7.** 165.95 (1) (a) of the statutes, as affected by 2013 Wisconsin Act 20,  
2 is repealed.

3           **SECTION 8.** 165.95 (1) (ag) of the statutes is created to read:

4           165.95 (1) (ag) “Evidence-based” means using research to determine how  
5 effective a practice is at achieving positive measurable outcomes, including reducing  
6 recidivism and increasing public safety.

7           **SECTION 9.** 165.95 (1) (am) of the statutes is created to read:

8           165.95 (1) (am) “Tribe” has the meaning given in s. 165.91.

9           **SECTION 10.** 165.95 (1) (ar) of the statutes is created to read:

10          165.95 (1) (ar) “Violent offender” means a person who has been charged with  
11 or convicted of an offense in a pending case and, during the course of the offense, the  
12 person carried, possessed, or used a dangerous weapon, the person used force against  
13 another person, or a person died or suffered serious bodily harm.

14          **SECTION 11.** 165.95 (1) (b) of the statutes, as affected by 2013 Wisconsin Act 20,  
15 is repealed.

16          **SECTION 12.** 165.95 (2) of the statutes, as affected by 2013 Wisconsin Act 20,  
17 is amended to read:

18          165.95 (2) The department of justice shall make grants to counties and to tribes  
19 to enable them to establish and operate ~~programs~~ projects, including suspended and  
20 deferred prosecution ~~programs~~ projects and ~~programs based on principles of~~  
21 restorative justice, projects that operate within the continuum from arrest to  
22 discharge from supervision that provide alternatives to prosecution ~~and,~~  
23 incarceration, or both, for criminal offenders who abuse alcohol or other drugs. The  
24 department of justice shall make the grants from the appropriations under s. 20.455  
25 (2) (em), (kn), and (kv). The department of justice shall collaborate with the



1 ~~departments of corrections and health and family services in establishing this grant~~  
2 ~~program criminal justice coordinating council in order to maximize the impact of the~~  
3 ~~projects funded by grants awarded under this section.~~

4 **SECTION 13.** 165.95 (2r) of the statutes, as affected by 2013 Wisconsin Act 20,  
5 is repealed.

6 **SECTION 14.** 165.95 (3) (intro.) of the statutes, as affected by 2013 Wisconsin  
7 Act 20, is amended to read:

8 165.95 (3) (intro.) A county or tribe shall be eligible for a grant under sub. (2)  
9 if all of the following apply:

10 **SECTION 15.** 165.95 (3) (a) of the statutes, as affected by 2013 Wisconsin Act 20,  
11 is repealed.

12 **SECTION 16.** 165.95 (3) (ae) of the statutes is created to read:

13 165.95 (3) (ae) The project specifies that a violent offender is not eligible to  
14 participate in the project.

15 **SECTION 17.** 165.95 (3) (ag) of the statutes is created to read:

16 165.95 (3) (ag) The project operates within the continuum from arrest to  
17 discharge from supervision and provides an alternative to prosecution,  
18 incarceration, or both, including suspended and deferred prosecution or  
19 community-based corrections.

20 **SECTION 18.** 165.95 (3) (b) of the statutes, as affected by 2013 Wisconsin Act 20,  
21 is amended to read:

22 165.95 (3) (b) The ~~program~~ project is evidence-based and is designed to  
23 promote and facilitate the implementation of effective criminal justice policies and  
24 practices that maximize justice and public safety, reduce prison and jail populations,

1 reduce prosecution and incarceration costs, and reduce recidivism, ~~and improve the~~  
2 ~~welfare of participants' families by meeting the comprehensive needs of participants.~~

3 **SECTION 19.** 165.95 (3) (bd) of the statutes is created to read:

4 165.95 (3) (bd) The project identifies each target population served by the  
5 project and identifies the evidence-based practices the project employs for each  
6 target population it serves.

7 **SECTION 20.** 165.95 (3) (c) of the statutes, as affected by 2013 Wisconsin Act 20,  
8 is amended to read:

9 165.95 (3) (c) ~~The program establishes~~ project uses evidence-based eligibility  
10 ~~criteria for a person's participation. The criteria shall specify that a violent offender~~  
11 ~~is not eligible to participate in the program, including validated risk, needs, and~~  
12 ~~responsivity assessment instruments, to determine who is eligible for participation~~  
13 in the project.

14 **SECTION 21.** 165.95 (3) (cm) 2. of the statutes is created to read:

15 165.95 (3) (cm) 2. If the project is administered by a tribe, the criminal justice  
16 oversight committee shall consist of a representative of each of the following: the  
17 judiciary, criminal prosecution and criminal defense, social services providers,  
18 behavioral health treatment providers, law enforcement, corrections, and other  
19 members the oversight committee determines are appropriate to the project.

20 **SECTION 22.** 165.95 (3) (d) of the statutes, as affected by 2013 Wisconsin Act 20,  
21 is repealed.

22 **SECTION 23.** 165.95 (3) (e) of the statutes, as affected by 2013 Wisconsin Act 20,  
23 is repealed.

24 **SECTION 24.** 165.95 (3) (f) of the statutes, as affected by 2013 Wisconsin Act 20,  
25 is repealed.

1           **SECTION 25.** 165.95 (3) (g) of the statutes, as affected by 2013 Wisconsin Act 20,  
2 is amended to read:

3           165.95 (3) (g) The ~~program project~~ is designed to integrate all mental health  
4 services provided to ~~program project~~ participants by state and local government  
5 agencies, ~~tribes~~, and other organizations. The ~~program project~~ shall require regular  
6 communication and coordination among a participant's substance abuse treatment  
7 ~~providers~~, other service providers, the case manager, and any person designated  
8 under the ~~program project~~ to monitor the person's compliance with his or her  
9 obligations under the ~~program project~~, and any probation, extended supervision, and  
10 parole agent assigned to the participant.

11           **SECTION 26.** 165.95 (3) (h) of the statutes, as affected by 2013 Wisconsin Act  
12 20, is amended to read:

13           165.95 (3) (h) The ~~program project~~ provides substance abuse and mental health  
14 ~~treatment~~ services through providers that use evidence-based practices in the  
15 delivery of services and, where applicable, that are certified by the department of  
16 health services or licensed to provide the services approved under the project.

17           **SECTION 27.** 165.95 (3) (hm) of the statutes is created to read:

18           165.95 (3) (hm) The county or tribe agrees to submit data as requested under  
19 sub (5).

20           **SECTION 28.** 165.95 (3) (i) of the statutes, as affected by 2013 Wisconsin Act 20,  
21 is amended to read:

22           165.95 (3) (i) The ~~program requires participants~~ project may require  
23 participants to pay a reasonable amount for their treatment, based on their income  
24 and available assets, and pursues and uses all possible resources available through

1 insurance and federal, state, and local aid programs, including cash, vouchers, and  
2 direct services.

3 **SECTION 29.** 165.95 (3) (j) of the statutes, as affected by 2013 Wisconsin Act 20,  
4 is repealed.

5 **SECTION 30.** 165.95 (3) (k) of the statutes, as affected by 2013 Wisconsin Act  
6 20, is amended to read:

7 165.95 (3) (k) The county or tribe complies with other eligibility requirements  
8 established by the department of justice, in consultation with the criminal justice  
9 coordinating council, to promote the objectives listed in ~~pars. (a) and (b)~~ this  
10 subsection.

11 **SECTION 31.** 165.95 (3m) of the statutes is created to read:

12 165.95 (3m) The department of justice shall consult with the criminal justice  
13 coordinating council to determine which projects meet the specifications set forth in  
14 sub. (3) and will receive a grant under this section.

15 **SECTION 32.** 165.95 (4) of the statutes, as affected by 2013 Wisconsin Act 20,  
16 is amended to read:

17 165.95 (4) In implementing a ~~program~~ project that meets the requirements of  
18 sub. (3), a county department or a tribe may contract with or award grants to a  
19 religious organization under s. 59.54 (27).

20 **SECTION 33.** 165.95 (5) (a) of the statutes, as affected by 2013 Wisconsin Act 20,  
21 is renumbered 165.95 (3) (cm) and amended to read:

22 165.95 (3) (cm) ~~A county that receives a grant under this section shall create~~  
23 ~~an~~ The project identifies a criminal justice oversight committee to develop and  
24 implement the project design and advise the county or tribe in administering and  
25 evaluating its ~~program~~. Each project.

1           1. If the project is administered by a county, or by a county and a tribe pursuant  
2 to sub. (6), the criminal justice oversight committee shall consist of a circuit court  
3 judge, the district attorney or his or her designee, the state public defender or his or  
4 her designee, a local law enforcement official, a representative of the county, a  
5 representative of the tribe, if applicable, a representative of each other county and,  
6 if applicable, the tribal agency responsible for providing social services, including  
7 services relating to child welfare, mental health, ~~and the Wisconsin Works program,~~  
8 representatives of the departments of corrections and health and family services, a  
9 representative from private social services agencies, a representative of substance  
10 abuse behavioral health treatment providers, and other members ~~to be determined~~  
11 ~~by the county~~ the oversight committee determines are appropriate to the project.

12           **SECTION 34.** 165.95 (5) (b) of the statutes, as affected by 2013 Wisconsin Act 20,  
13 is renumbered 165.95 (5) (ag) and amended to read:

14           165.95 (5) (ag) A county or tribe that receives a grant under this section shall  
15 comply with state audits and shall submit an annual report ~~to the department of~~  
16 ~~justice and to the~~ criminal justice oversight committee ~~created under par. (a)~~  
17 identified in sub. (3) (cm) regarding ~~the impact of the program on jail and prison~~  
18 ~~populations and its progress in attaining the goals specified in sub. (3) (b) and (f).~~

19           **SECTION 35.** 165.95 (5) (bg) of the statutes is created to read:

20           165.95 (5) (bg) A county or tribe that receives a grant under this section shall  
21 submit data requested by the department of justice to the department of justice each  
22 month. The department of justice may request any data regarding the project funded  
23 by the grant that is necessary to evaluate the project and prepare the reports under  
24 sub. (5p).

1           **SECTION 36.** 165.95 (5m) of the statutes, as affected by 2013 Wisconsin Act 20,  
2 is repealed.

3           **SECTION 37.** 165.95 (5p) of the statutes is created to read:

4           165.95 (5p) (a) The department of justice shall, annually, analyze the data  
5 submitted under sub. (5) (bg) and prepare a progress report that evaluates the  
6 effectiveness of the grant program. The department of justice shall submit a copy of  
7 the report to the criminal justice coordinating council and shall make the report  
8 available to the public.

9           (b) The department of justice shall, every 5 years, prepare a comprehensive  
10 report that analyzes the data it receives under sub. (5) (bg) and the annual reports  
11 it produces under par. (a). The department of justice shall include in this  
12 comprehensive report a cost benefit analysis of the grant program and shall submit  
13 the report to the criminal justice coordinating council and to the chief clerk of each  
14 house of the legislature for distribution to the legislature under s. 13.172 (2).

15           (c) The department of justice may enter into one or more contracts with another  
16 person for the purpose of evaluating the grant program and preparing the reports  
17 under pars. (a) and (b). The department of justice shall fund such contracts from  
18 moneys appropriated under s. 20.455 (2) (em) and (kv) with not more than 10 percent  
19 of the amount awarded as grants under sub. (2).

20           **SECTION 38.** 165.95 (6) of the statutes, as affected by 2013 Wisconsin Act 20,  
21 is amended to read:

22           165.95 (6) ~~Two or more counties~~ A county or tribe may, ~~with one or more other~~  
23 counties or tribes, jointly apply for and receive a grant under this section. ~~If counties~~  
24 submit Upon submitting a joint application, ~~they~~ each county or tribe shall include  
25 ~~with their~~ the application a written agreement specifying each tribe's and each

1 county department's role in developing, administering, and evaluating the program  
2 project. The criminal justice oversight committee established under sub. (5) (a)  
3 identified in sub. (3) (cm) shall consist of representatives from each county or tribe  
4 that participates in the project.

5 **SECTION 39.** 165.95 (7) of the statutes, as affected by 2013 Wisconsin Act 20,  
6 is amended to read:

7 165.95 (7) Grants provided under this section shall be provided on a calendar  
8 year basis ~~beginning on January 1, 2007~~. ~~If the department of justice decides to make~~  
9 ~~a grant to a county under this section, the department of justice shall notify the~~  
10 ~~county of its decision and the amount of the grant no later than September 1 of the~~  
11 ~~year preceding the year for which the grant will be made.~~

12 **SECTION 40.** 165.95 (7m) of the statutes, as affected by 2013 Wisconsin Act 20,  
13 is amended to read:

14 165.95 (7m) Beginning in fiscal year ~~2012-13~~ 2014-15, the department of  
15 justice shall, every 5 years, make grants under this section available to any county  
16 or tribe on a competitive basis. A county or tribe may apply for a grant under this  
17 subsection regardless of whether the county or tribe has received a grant previously  
18 under this section.

19 **SECTION 41.** 165.95 (8) of the statutes, as affected by 2013 Wisconsin Act 20,  
20 is repealed.

21 **SECTION 42.** 165.95 (9) of the statutes, as affected by 2013 Wisconsin Act 20,  
22 is repealed.

23 **SECTION 43.** 165.95 (10) of the statutes, as affected by 2013 Wisconsin Act 20,  
24 is repealed.



1           **SECTION 44.** 302.43 of the statutes, as affected by 2013 Wisconsin Act 20, is  
2 amended to read:

3           **302.43 Good time.** Every inmate of a county jail is eligible to earn good time  
4 in the amount of one-fourth of his or her term for good behavior if sentenced to at  
5 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit  
6 for time served prior to sentencing under s. 973.155, including good time under s.  
7 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects  
8 or refuses to perform any duty lawfully required of him or her, may be deprived by  
9 the sheriff of good time under this section, except that the sheriff shall not deprive  
10 the inmate of more than 2 days good time for any one offense without the approval  
11 of the court. An inmate who files an action or special proceeding, including a petition  
12 for a common law writ of certiorari, to which s. 807.15 applies shall be deprived of  
13 the number of days of good time specified in the court order prepared under s. 807.15  
14 (3). This section does not apply to a person who is confined in the county jail in  
15 connection with his or her participation in a ~~substance abuse treatment program~~  
16 project that meets the requirements of s. 165.95 (3), as determined by the  
17 department of justice ~~under s. 165.95 (9) and (10).~~

18           **SECTION 45.** 961.472 (5) (b) of the statutes, as affected by 2013 Wisconsin Act  
19 20, is amended to read:

20           961.472 (5) (b) The person is participating in ~~a~~ an evidence-based substance  
21 abuse treatment program ~~that meets the requirements of s. 165.95 (3), as determined~~  
22 ~~by the department of justice under s. 165.95 (9) and (10).~~

23           **SECTION 46.** 967.11 (1) of the statutes, as affected by 2013 Wisconsin Act 20,  
24 is amended to read:

