



1995 ASSEMBLY BILL 624

October 18, 1995 - Introduced by Representatives LAZICH, KREIBICH, ALBERS, HAHN, OWENS, SKINDRUD, LEHMAN, WALKER, DUFF, AINSWORTH, OLSEN, GROTHMAN, RYBA, LADWIG, URBAN, SERATTI and ZUKOWSKI, cosponsored by Senators FITZGERALD, A. LASEE, WELCH, ZIEN and ANDREA. Referred to Committee on Criminal Justice and Corrections.

1 **AN ACT** *to create* 20.410 (1) (ge), 301.065 and 303.065 (5) (am) of the statutes;
2 **relating to:** prisoner payments for postsecondary educational costs, granting
3 rule-making authority and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the department of corrections (DOC) provides education courses and programs, including adult basic education, for prisoners. This bill requires DOC to charge prisoners for the costs of providing postsecondary educational courses or programming. If a prisoner is financially able to do so, the prisoner must pay for a postsecondary course or program before receiving it. If not, DOC may provide the person with the course or program only if the prisoner and DOC agree on a payment schedule for that prisoner to pay for the course or program and if the prisoner assigns any lottery prizes payable in instalments, commissions and earnings to the department. The assignment would go into effect if the prisoner failed to comply with the payment schedule.

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:

4 **SECTION 1.** 20.410 (1) (ge) of the statutes is created to read:
5 20.410 (1) (ge) *Educational services.* All moneys received from postsecondary
6 educational fee payments under s. 301.065 to provide education for prisoners.

7 **SECTION 2.** 301.065 of the statutes is created to read:

1 **301.065 Prisoners pay for costs of postsecondary education.** (1) In this
2 section, “postsecondary education” means education provided by a bachelor’s or
3 associate degree granting institution.

4 (2) The department shall charge each prisoner for the costs of postsecondary
5 education provided to that prisoner by the department or paid for by the department.
6 This subsection applies to costs incurred on or after the effective date of this
7 subsection [revisor inserts date].

8 (3) If a prisoner is financially able to do so, he or she shall pay moneys due
9 under sub. (2) before receiving the postsecondary educational course or
10 programming. If the prisoner is not financially able to make the payment before
11 receiving the postsecondary course or programming, the department may provide
12 the person with the course or programming if the prisoner and the department make
13 a written agreement including all of the following:

14 (a) A payment schedule under which the prisoner makes payments while he
15 or she is in prison and, if necessary, while he or she is subsequently on parole.
16 Payment of all moneys owed under sub. (2) is a condition of any such parole.

17 (b) An assignment of all lottery prizes payable in instalments, commissions and
18 earnings that are payable to the prisoner to go into effect if the prisoner fails to
19 comply with the payment schedule. The assignment shall not have priority over
20 payments made to victims, restitution payments or court-ordered child support
21 payments. If the prisoner’s commissions or earnings are subject to assignment under
22 this paragraph, the department shall not be entitled to an amount greater than 50%
23 of the prisoner’s disposable commissions or earnings, remaining after deducting any
24 amount paid to victims, as restitution and for child support.

