



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-3856/1  
EAW:amn

## 2017 SENATE BILL 379

August 3, 2017 - Introduced by Senators L. TAYLOR, CARPENTER, MILLER and VINEHOUT, cosponsored by Representatives YOUNG, CROWLEY, BOWEN, BERCEAU, FIELDS, GOYKE, OHNSTAD, POPE, SPREITZER, WACHS and ZEPNICK. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to repeal** 301.20 (title); **to renumber and amend** 301.20; and **to create**  
2 301.26 (2) (title) and (a) and 301.26 (2) (c) of the statutes; **relating to:** a Type  
3 1 juvenile correctional facility to be located in Milwaukee County.

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### *Analysis by the Legislative Reference Bureau*

This bill allows the Department of Corrections to contract for a new Type 1 juvenile correctional facility in Milwaukee County.

Under current law, juveniles that are adjudged delinquent of certain acts can be placed in a secured Type 1 juvenile correctional facility. Currently, the Lincoln Hills School for Boys, Copper Lake School for Girls, and Mendota Juvenile Treatment Center are the only Type 1 juvenile correctional facilities in Wisconsin. Current law also permits DOC to designate a residential care center for children and youth as a Type 2 juvenile correctional facility. A juvenile that is placed in a Type 2 juvenile correctional facility and given Type 2 status under current law may, if he or she violates a condition of the Type 2 placement, be placed in a Type 1 juvenile correctional facility without a hearing or court order.

This bill requires DOC to contract for the supervision, maintenance, and operation of a new Type 1 juvenile correctional facility in Milwaukee County to be located at the same site as a Type 2 residential care center for children and youth.

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For further information see the *state and 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1           **SECTION 1.** 301.20 (title) of the statutes is repealed.

2           **SECTION 2.** 301.20 of the statutes is renumbered 301.26 (2) (b) and amended  
3 to read:

4           301.26 (2) (b) ~~The department, with the approval of the governor, may purchase~~  
5 ~~or accept a gift of land for a suitable site for an additional training school for~~  
6 ~~delinquent boys and erect and equip such buildings as it considers necessary at such~~  
7 ~~time as funds may be allocated for that purpose by the building commission. The~~  
8 ~~training school or other additional facilities for delinquent boys financed by the~~  
9 ~~authorized 1965-67 building program shall be located north of a line between La~~  
10 ~~Crosse and Manitowoc. The department shall operate and maintain the institution~~  
11 Type 1 juvenile correctional facility financed by the authorized 1965-67 building  
12 program and located in Irma, Lincoln County, for the treatment of delinquent boys  
13 juveniles who are adjudged delinquent and placed under the supervision of the  
14 department under s. 938.34 (4h) or (4m).

15           (d) All laws pertaining to the care of juveniles received under s. 938.34 shall  
16 apply to a facility that is contracted for, maintained, or operated by the department  
17 under this subsection. Officers and employees of the ~~institution~~ facility are subject  
18 to the same laws as apply to other facilities described in s. 938.52.

19           **SECTION 3.** 301.26 (2) (title) and (a) of the statutes are created to read:

20           301.26 (2) (title) JUVENILE CORRECTIONAL FACILITIES. (a) In this subsection:

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1           1. "Type 1 juvenile correctional facility" has the meaning given under s. 938.02  
2           (19).

3           2. "Type 2 residential care center for children and youth" has the meaning given  
4           under s. 938.02 (19r).

5           **SECTION 4.** 301.26 (2) (c) of the statutes is created to read:

6           301.26 **(2)** (c) The department shall, under s. 301.08 (1) (b) 3., contract for the  
7           supervision, maintenance, and operation of a residential care center for children and  
8           youth, which the department shall designate as a Type 2 residential care center for  
9           children and youth, and a Type 1 juvenile correctional facility to be located in the  
10          same building or set of buildings in a county with a population of 750,000 or more.

11   **(END)**