



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4995/1
CMH:cjs

2019 SENATE BILL 647

January 8, 2020 - Introduced by Senators OLSEN, FEYEN, NASS and MARKLEIN, cosponsored by Representatives PLUMER, BORN, BALLWEG, BRANDTJEN, HORLACHER, JAMES, KNODL, SKOWRONSKI, THIESFELDT, VANDERMEER and WICHGERS. Referred to Committee on Judiciary and Public Safety.

- 1 **AN ACT** *to create* 302.095 (3) of the statutes; **relating to:** smuggling items into
2 or out of prisons by inmates and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person may not deliver or possess with the intent to deliver an item to an inmate if the delivery violates the rules or regulations of the jail or prison and is done without the permission of the jailer or warden. In addition, a person may not receive from an inmate an item that is intended to be conveyed out of the jail or prison if the action violates the rules or regulations and is done without the permission of the jailer or warden. A person who violates one of these prohibitions is guilty of a Class I felony.

Under this bill, an inmate may not receive or be in possession of an item that was delivered to him or her if the delivery violates the rules or regulations of the jail or prison and is done without the permission of the jailer or warden. In addition, an inmate may not provide to a person an item that is intended to be conveyed out of the jail or prison if the action violates the rules or regulations and is done without the permission of the jailer or warden. An inmate who violates one of these prohibitions is guilty of a misdemeanor.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

