

No. 172, A.]

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CHAPTER 540

AN ACT to amend 51.09 (1), 53.30 and 59.68 (1) ; and to create 59.07 (76) of the statutes, relating to the establishment of a rehabilitation facility as part of a county jail.

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

SECTION 1. 51.09 (1) of the statutes is amended to read:

51.09 (1) If it appears to any court of record, by an application of 3 reputable adult residents of the county, that a resident of the county or person temporarily residing therein is an inebriate or addicted to the use of narcotic drugs or barbiturates and in need of confinement or treatment, the court shall fix a time and place for hearing the application, on reasonable personal notice to the person in question, requiring him to appear at the hearing, and shall summarily hear the evidence. The court may cause notice to be given to such other persons as it deems advisable. The court may, by attachment for the person, require the sheriff or other police officer to take the alleged inebriate or drug addict into custody, detain him pending the hearing (but not to exceed 3 days) and bring him before the court at the hearing. The court may require notice to be given to known relatives of the person. At such hearing if the court finds that such person is an inebriate or a drug addict, and requires confinement or treatment, or that it is necessary for the protection of himself or the public or his relatives that he be committed, he may be committed to the county hospital or to the county reforestation camp or to the rehabilitation facilities established pursuant to s. 59.07 (76) or to Winnebago or Mendota state hospital or, in counties having a population of 500,000 or more, to the hospital ward of the house of correction of such county. At the hearing the court shall determine the person's legal settlement, and the county of such settlement shall be liable over for his maintenance and treatment. The provisions against detaining patients in jails shall not apply to inebriates or drug addicts except in case of acute illness.

SECTION 2. 53.30 of the statutes is amended to read:

53.30 As used in ss. 53.30 to 53.43, the word "jail" includes municipal prisons and rehabilitation facilities established by s. 59.07 (76) by whatever name they are known.

SECTION 3. 59.07 (76) of the statutes is created to read:

59.07 (76) REHABILITATION FACILITIES. Establish and maintain rehabilitation facilities in any part of the county under the jurisdiction of the sheriff as an extension of the jail, or separate from the jail under jurisdiction of a superintendent, to provide any person sentenced to the county jail or committed under s. 51.09 with a program of rehabilitation for such part of his sentence or commitment as in the opinion of the court will be of rehabilitative value to such prisoner. In case of commitment under s. 51.09 the court shall have the same power as the superintendent as therein provided.

SECTION 4. 59.68 (1) of the statutes is amended to read:

59.68 (1) Each county shall provide a courthouse, jail, fireproof offices and other necessary buildings at the county seat and keep them in good repair. *Rehabilitation facilities as extensions of the jail need not be at the county seat.*

Approved October 2, 1961.
