

1999 ASSEMBLY BILL 603

November 24, 1999 – Introduced by Representatives MONTGOMERY, RYBA, GOETSCH, GUNDERSON, HAHN, LADWIG, M. LEHMAN, MUSSER, OTT, PETTIS, PORTER, SERATTI, STONE, SUDER and VRAKAS, cosponsored by Senators BRESKE, COWLES, DARLING, DRZEWIECKI, FARROW, A. LASEE, ROESSLER and SCHULTZ. Referred to Committee on Corrections and the Courts.

1 **AN ACT to renumber** 302.372 (1) (a); **to amend** 302.372 (2) (a) (intro.); and **to**
2 **create** 302.372 (1) (ad), 302.372 (2) (e) and 302.372 (7) of the statutes; **relating**
3 **to:** prisoner reimbursement to county for booking costs.

Analysis by the Legislative Reference Bureau

Under current law, a county may obtain reimbursement, payable by a person sentenced to the county jail or confined in the county jail as a condition of probation, for certain expenses it incurs in confining the person. Among these expenses are the actual per-day costs of maintaining the prisoner in the county jail. The county may charge the prisoner for these costs and may make deductions from the prisoner's canteen account to cover the costs while the prisoner is confined.

This bill authorizes counties to recoup the cost of fingerprinting, photographing, assessing and evaluating a person and collecting information from the person ("booking") at the start of the person's confinement in the county jail. Under the bill, a county may charge each person confined in the county jail a jail processing assessment in an amount not exceeding the county's average booking costs per prisoner. A county may make deductions from a prisoner's canteen account to collect any unpaid jail processing assessment levied with respect to the prisoner's current or past periods of confinement. Money collected under the bill is to be deposited in the county treasury.

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For further information see the *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:

1 **SECTION 1.** 302.372 (1) (a) of the statutes is renumbered 302.372 (1) (ay).

2 **SECTION 2.** 302.372 (1) (ad) of the statutes is created to read:

3 302.372 (1) (ad) “Booking” includes fingerprinting, photographing, assessing
4 and evaluating a person and collecting information from the person at the start of
5 the person’s confinement in the county jail.

6 **SECTION 3.** 302.372 (2) (a) (intro.) of the statutes is amended to read:

7 302.372 (2) (a) (intro.) Except as provided in pars. (c) ~~and~~, (d) and (e), a county
8 may seek reimbursement for any expenses incurred by the county in relation to the
9 crime for which a person was sentenced to a county jail, or for which the person was
10 placed on probation and confined in jail, as follows:

11 **SECTION 4.** 302.372 (2) (e) of the statutes is created to read:

12 302.372 (2) (e) A county may seek reimbursement for the costs it incurs in
13 booking a person only to the extent that those costs exceed the amount collected
14 under sub. (7).

15 **SECTION 5.** 302.372 (7) of the statutes is created to read:

16 302.372 (7) JAIL PROCESSING ASSESSMENT. (a) Except as provided in par. (c), a
17 county may collect a jail processing assessment from a person confined in a county
18 jail. The amount of the assessment shall not exceed the county’s average booking
19 costs per prisoner.

20 (b) If the jailer maintains an institutional account for a prisoner’s use for
21 payment for items from canteen, vending or similar services, the jailer may deduct

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1 from that account any jail processing assessments levied with respect to the
2 prisoner's current or past periods of confinement.

3 (c) A county may collect all or part of a jail processing assessment from a
4 prisoner under par. (a) only to the extent that the amount it collects under par. (a)
5 plus any amount collected under sub. (2) or s. 303.08 (5) (a) for reimbursement of the
6 county's costs in booking the prisoner does not exceed the county's actual costs in
7 booking the prisoner.

8 (d) Money collected under this subsection shall be deposited in the county
9 treasury.

10 **SECTION 6. Initial applicability.**

11 (1) This act first applies to prisoners whose confinement in a county jail begins
12 on the effective date of this subsection.

13 (END)