

2003 SENATE BILL 23

February 5, 2003 – Introduced by Senators S. FITZGERALD, WELCH, KANAVAS, LAZICH, LEIBHAM, KEDZIE, STEPP and ROESSLER, cosponsored by Representatives GOTTLIEB, FOTI, AINSWORTH, BIES, J. FITZGERALD, GIELOW, GROTHMAN, GUNDERSON, GUNDRUM, HAHN, HUEBSCH, HUNDERTMARK, JENSEN, JESKEWITZ, LADWIG, LASSA, LEMAHIEU, M. LEHMAN, MCCORMICK, MUSSER, NASS, OTT, PETROWSKI, SERATTI, STONE, SUDER, TOWNSEND and VRAKAS. Referred to Committee on Judiciary, Corrections and Privacy.

1 **AN ACT** *to create* 302.373 of the statutes; **relating to:** prisoner reimbursement
2 to a municipality.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Corrections (DOC) may charge a prisoner for the some or all of the costs to DOC for the prisoner's incarceration in a state facility. The law allows the attorney general to bring a civil action to recover any costs DOC has not recovered. Current law also allows the county to seek reimbursement from a prisoner for any expenses incurred by the county for incarcerating a prisoner in a county jail who was sentenced for a crime. The county may commence an action in circuit court to obtain a judgment for the expenses, and must do so within 12 months after the release of the prisoner or be barred from bringing the action.

Under current law, a city, village, or town is required to pay expenses incurred by a county to imprison persons that a court orders imprisoned for failing to pay a forfeiture and assessments and costs related to a municipal ordinance violation. Under this bill, the city, village, or town may seek reimbursement from the prisoner for the amount paid to a county for the expenses incurred by the county to incarcerate the prisoner. The city, village, or town may commence an action in circuit court to obtain a judgment for the expenses, and must do so within 12 months after the release of the prisoner or be barred from bringing the action.

