

2003 ASSEMBLY BILL 390

AN ACT *to renumber and amend* 302.31; and *to create* 302.31 (8) and 302.31 (9) of the statutes; **relating to:** housing of county prisoners from border states in Wisconsin county jails.

Analysis by the Legislative Reference Bureau

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

1 **SECTION 1.** 302.31 of the statutes is renumbered 302.31 (intro.) and amended
2 to read:

3 **302.31 Use of jails.** (intro.) The county jail may be used for the any of the
4 following purposes:

5 **(1)** The detention of persons charged with crime and committed for trial; ~~for~~
6 ~~the~~.

7 **(2)** The detention of persons committed to secure their attendance as
8 witnesses; ~~to~~.

ASSEMBLY BILL 390**SECTION 1**

1 (3) To imprison persons committed pursuant to a sentence or held in custody
2 by the sheriff for any cause authorized by law; ~~for the.~~

3 (4) ~~The~~ detention of persons sentenced to imprisonment in state penal
4 institutions or a county house of correction, until they are removed to those
5 institutions; ~~for the.~~

6 (5) ~~The~~ detention of persons participating in the intensive sanctions program;
7 ~~for the.~~

8 (6) ~~The~~ temporary detention of persons in the custody of the department; ~~and~~
9 ~~for other detentions authorized by law. The county jail may be used for the.~~

10 (7) ~~The~~ temporary placement of persons in the custody of the department, other
11 than persons under 17 years of age, and persons who have attained the age of 17
12 years but have not attained the age of 25 years who are under the supervision of the
13 department under s. 48.366 or 938.355 (4) and who have been taken into custody
14 pending revocation of aftercare supervision under s. 48.366 (5) or 938.357 (5) (e).

15 **SECTION 2.** 302.31 (8) of the statutes is created to read:

16 302.31 **(8)** Under an agreement under s. 66.0303, the detention of persons
17 detained or imprisoned before, during, or after trial by a county that borders on this
18 state. An agreement under this subsection may not provide for the detention of a
19 person detained or imprisoned in a county jail by a county that borders on this state
20 who has been sentenced to imprisonment in a state prison in that state. The
21 agreement under s. 66.0303 for the detention of persons from another state shall take
22 into account the provisions of this chapter regarding the detention of persons in
23 county jails.

24 **SECTION 3.** 302.31 (9) of the statutes is created to read:

