

**BILL HISTORY FOR ASSEMBLY BILL 390 (LRB -2722)**

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. (FE)

2003

06-05. A. Introduced by Representatives Pettis, Shilling, Huebsch, Gard, Plouff, Weber, Musser, Seratti, Van Roy, Freese, Nass, Hahn, Boyle, Gronemus, Ladwig, LeMahieu, Albers, Bies, McCormick, Petrowski, Vrakas, Grothman, Kreibich and Taylor; cosponsored by Senators A. Lasee, Schultz, Jauch, Hansen, Stepp, Wirch and Roessler.

06-05. A. Read first time and referred to committee on Corrections and the Courts ..... 241

06-10. A. Fiscal estimate received.

08-13. A. Public hearing held.

08-26. A. Fiscal estimate received.

09-10. A. Executive action taken.

09-10. A. Assembly amendment 1 offered by committee on Corrections and the Courts (LRB a0834) ..... 354

09-25. A. Report Assembly Amendment 1 adoption recommended by committee on Corrections and the Courts, Ayes 11, Noes 0 ..... 379

09-25. A. Report passage as amended recommended by committee on Corrections and the Courts, Ayes 11, Noes 0 ..... 379

09-25. A. Referred to committee on Rules ..... 380

09-30. A. Placed on calendar 10-2-2003 by committee on Rules.

10-02. A. Read a second time ..... 414

10-02. A. Assembly amendment 1 adopted ..... 414

10-02. A. Ordered to a third reading ..... 414

10-23. A. Read a third time and passed, Ayes 97, Noes 0 ..... 452

10-23. A. Ordered immediately messaged ..... 452

10-28. S. Received from Assembly ..... 448

10-28. S. Read first time and referred to committee on Judiciary, Corrections and Privacy ..... 449

2004

01-08. S. Public hearing held.

01-08. S. Executive action taken.

01-12. S. Report concurrence recommended by committee on Judiciary, Corrections and Privacy, Ayes 5, Noes 0 ..... 535

01-12. S. Available for scheduling.

02-02. S. Placed on calendar 2-3-2004 by committee on Senate Organization.

02-03. S. Read a second time ..... 591

02-03. S. Senator Harsdorf added as a cosponsor ..... 591

02-03. S. Ordered to a third reading ..... 591

02-03. S. Rules suspended ..... 591

02-03. S. Read a third time and concurred in ..... 591

02-03. S. Ordered immediately messaged ..... 591

02-03. A. Received from Senate concurred in ..... 673

2003  
ENROLLED BILL

03en AB-390

ADOPTED DOCUMENTS:

Orig     Engr         SubAmdt     

03-2724-1

Amendments to above (if none, write "NONE"): AA1

Corrections - show date (if none, write "NONE"): none

Topic relatz

2/6/04      [Signature]  
Date                      Enrolling Drafter

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## 2003 ASSEMBLY BILL 390

June 5, 2003 – Introduced by Representatives PETTIS, SHILLING, HUEBSCH, GARD, PLOUFF, WEBER, MUSSER, SERATTI, VAN ROY, FREESE, NASS, HAHN, BOYLE, GRONEMUS, LADWIG, LEMAHIEU, ALBERS, BIES, MCCORMICK, PETROWSKI, VRAKAS, GROTHMAN, KREIBICH and TAYLOR, cosponsored by Senators A. LASEE, SCHULTZ, JAUCH, HANSEN, STEPP, WIRCH and ROESSLER. Referred to Committee on Corrections and the Courts.

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

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### *Analysis by the Legislative Reference Bureau*

Under current law, county jails have the authority to use the county jail to detain certain persons, including those charged with a crime, committed pursuant to a sentence to the county jail or a state penal institution; persons participating in the intensive sanctions program; and persons who are in the custody of the Department of Corrections. This bill allows county jails to detain persons who are detained by a county that borders this state if the counties involved enter into an interstate cooperation agreement that takes into account all the requirements of Wisconsin law regarding the detention of persons in county jails.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

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

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1           **302.31 Use of jails.** (intro.) The county jail may be used for ~~the~~ any of the  
2 following purposes:

3           (1) The detention of persons charged with crime and committed for trial; ~~for~~  
4 ~~the.~~

5           (2) The detention of persons committed to secure their attendance as  
6 witnesses; ~~to.~~

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

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

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

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

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

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

22           302.31 (8) Under an agreement under s. 66.0303, the detention of persons  
23 detained or imprisoned before, during, or after trial by a county that borders on this  
24 state. ~~The agreement under s. 66.0303 for the detention of persons from another~~

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1 state shall take into account the provisions of this chapter regarding the detention  
2 of persons in county jails.

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

4 302.31 (9) Other detentions authorized by law.

5 (END)

**ASSEMBLY AMENDMENT 1,  
TO 2003 ASSEMBLY BILL 390**

September 10, 2003 – Offered by COMMITTEE ON CORRECTIONS AND THE COURTS.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 2, line 24: after "state." insert "An agreement under this subsection  
3 may not provide for the detention of a person detained or imprisoned in a county jail  
4 2-24 by a county that borders on this state who has been sentenced to imprisonment in  
5 a state prison in that state."

6 (END)