

2003 Assembly Bill 390

Date of enactment: **April 12, 2004**
Date of publication*: **April 26, 2004**

2003 WISCONSIN ACT 226

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

302.31 (9) Other detentions authorized by law.

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].