



2009 ASSEMBLY BILL 345

July 15, 2009 – Introduced by Representatives KAUFERT, ROTH, SUDER, BALLWEG, BIES, BROOKS, HUEBSCH, KLEEFISCH, LEMAHIEU, MEYER, MONTGOMERY, MURSAU, A. OTT, PETERSEN, PRIDEMORE, SPANBAUER, STONE, VOS and ZIEGELBAUER, cosponsored by Senators COWLES and KEDZIE. Referred to Committee on Corrections and the Courts.

1 **AN ACT** *to create* 302.22 of the statutes; **relating to:** accepting prisoners or
2 detainees from the Guantanamo Bay detention facility.

Analysis by the Legislative Reference Bureau

Current law allows the Department of Corrections (DOC) to enter into an agreement or contract with another state to transfer inmates imprisoned in Wisconsin to the other state for imprisonment in the other state, but does not allow the transfer of inmates from other states to Wisconsin for imprisonment here.

Under this bill, DOC may not enter into an agreement or contract to imprison any person who was an inmate, prisoner, or detainee at the federal Guantanamo Bay Naval Base detention facility, Guantanamo Bay, Cuba, unless the person violates a Wisconsin law.

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

3 **SECTION 1.** 302.22 of the statutes is created to read:
4 **302.22 No contract or agreement for the transfer to and confinement**
5 **in a Wisconsin correctional facility of certain persons. (1)** The department
6 may not enter into any contract or agreement to accept for placement in any

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1 Wisconsin correctional facility a person who was an inmate, prisoner, or detainee at
2 the federal Guantanamo Bay Naval Base detention facility in Guantanamo Bay,
3 Cuba.

4 (2) Notwithstanding sub. (1), the department may confine a person who
5 violates a law of this state.

6 (END)