

2013 DRAFTING REQUEST

Bill

Received: 12/16/2013 Received By: phurley
Wanted: As time permits Same as LRB: -3996
For: Alberta Darling (608) 266-5830 By/Representing: Andrew
May Contact: Drafter: phurley
Subject: Justice - criminal Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Darling@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Additional moneys to TAD grants

Instructions:

1.5 million in each of the current biennium; don't worry about base-building language for now (e.g. AA1 to AB 457)

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------------|------------------------|------------------------|----------------|-----------------------|----------------------|-----------------|
| /P1 | phurley 1/2/2014 | kfollett 12/19/2013 | rschluet 12/19/2013 | _____ | mbarman 12/19/2013 | | State S&L |
| /P2 | phurley 1/14/2014 | kfollett 1/6/2014 | rschluet 1/6/2014 | _____ | mbarman 1/6/2014 | | State S&L |
| /1 | | kfollett 1/14/2014 | jfrantze 1/14/2014 | _____ | srose 1/14/2014 | lparisi 1/16/2014 | State S&L |

FE Sent For:

→ At
Intro.

<END>

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| /P2 | | kfollett 1/6/2014 | rschluet 1/6/2014 | _____ | mbarman 1/6/2014 | | State S&L |

FE Sent For:

1/15/14
 1/14
 1/14
 <END>

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| /P1 | phurley 12/17/2013 | kfollett 12/19/2013 | rschluet 12/19/2013 | _____ | mbarman 12/19/2013 | | State S&L |

FE Sent For:

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1/6
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16 14 11

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|--------------|----------------|------------------|------------------|---|------------------|-----------------|-----------------|
| /P1 | phurley | 1/11/13 12/19 | 1/11/13 12/19 |  | | | |

FE Sent For:

<END>



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

UPS:
Fix request
sheet please

12-17-13

Gen

1 AN ACT ...; relating to: providing grants to counties that offer substance abuse
2 treatment and diversion from incarceration, and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice (DOJ) provides grants to counties that have established qualifying treatment and diversion (TAD) programs for persons who are or may be charge with, or who are convicted of, offense related to the person's use or abuse of alcohol or other drugs. TAD programs are intended to offer alternatives to prosecution or incarceration.

This bill increases funding for TAD grants by \$1,500,000 million in each fiscal year of the current fiscal biennium.

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

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

3 SECTION 1. Fiscal changes.

4 (1) TREATMENT AND DIVERSION PROGRAMS. In the schedule under section 20.005
5 (3) of the statutes for the appropriation to the department of justice under section
6 20.455 (2) (em) of the statutes, as affected by the acts of 2013, the dollar amount is

1 increased by \$1,500,000 for the first fiscal year of the fiscal biennium in which this
2 subsection[✓] takes effect to provide grants for counties that establish alternatives^f or
3 prosecution and incarceration. In the schedule under section 20.005 (3) of the
4 statutes for the appropriation to the department of justice under section 20.455 (2)
5 (^{ee} \$m) of the statutes, as affected by the acts of 2013, the dollar amount is increased
6 by \$1,500,000 for the second fiscal year of the fiscal biennium in which this
7 subsection[✓] takes effect to provide grants for counties that establish alternatives^f or
8 prosecution and incarceration.

9 (END)



P2
/r/r

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Tuesday
1-2-14

Regen

Current law requires
DOJ to evaluate the
grant program every
two years.

1 AN ACT relating to: providing grants to counties that offer substance abuse
2 treatment and diversion from incarceration and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice (DOJ) provides grants to counties that have established qualifying treatment and diversion (TAD) programs for persons who are or may be charged with, or who are convicted of, an offense related to the person's use or abuse of alcohol or other drugs. TAD programs are intended to offer alternatives to prosecution or incarceration.

This bill increases funding for TAD grants by \$1,500,000 in each fiscal year of the current fiscal biennium.

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

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

Insert
Analysis

3 SECTION 1. Fiscal changes.

4 (1) TREATMENT AND DIVERSION PROGRAMS. In the schedule under section 20.005
5 (3) of the statutes for the appropriation to the department of justice under section
6 20.455 (2) (em) of the statutes, as affected by the acts of 2013, the dollar amount is

Insert 1.3

1 increased by \$1,500,000 for the first fiscal year of the fiscal biennium in which this
2 subsection takes effect to provide grants for counties that establish alternatives for
3 prosecution and incarceration. In the schedule under section 20.005 (3) of the
4 statutes for the appropriation to the department of justice under section 20.455 (2)
5 (em) of the statutes, as affected by the acts of 2013, the dollar amount is increased
6 by \$1,500,000 for the second fiscal year of the fiscal biennium in which this
7 subsection takes effect to provide grants for counties that establish alternatives for
8 prosecution and incarceration.

9

(END)

1 1. If the project is administered by a county, or by a county and a tribe pursuant
2 to sub. (6), the criminal justice oversight committee shall consist of a circuit court
3 judge, the district attorney or his or her designee, the state public defender or his or
4 her designee, a local law enforcement official, a representative of the county, a
5 representative of the tribe, if applicable, a representative of each other county and,
6 if applicable, the tribal agency responsible for providing social services, including
7 services relating to child welfare, mental health, and the Wisconsin Works program,
8 representatives of the departments of corrections and health and family services, a
9 representative from private social services agencies, a representative of substance
10 abuse behavioral health treatment providers, and other members to be determined
11 by the county the oversight committee determines are appropriate to the project.

12 **SECTION 34.** 165.95 (5) (b) of the statutes, as affected by 2013 Wisconsin Act 20,
13 is renumbered 165.95 (5) (ag) and amended to read:

14 165.95 (5) (ag) A county or tribe that receives a grant under this section shall
15 comply with state audits and shall submit an annual report to the department of
16 justice and to the criminal justice oversight committee created under par. (a)
17 identified in sub. (3) (cm) regarding the impact of the program on jail and prison
18 populations and its progress in attaining the goals specified in sub. (3) (b) and (f).

19 **SECTION 35.** 165.95 (5) (bg) of the statutes is created to read:

20 165.95 (5) (bg) A county or tribe^e that receives a grant under this section shall
21 submit data requested by the department of justice to the department of justice each
22 month. The department of justice may request any data regarding the project funded
23 by the grant that is necessary to evaluate the project and prepare the reports under
24 sub. (5p).

Insert 1.3

Insert 1.3, cont.

1 SECTION 36. 165.95 (5m) of the statutes, as affected by 2013 Wisconsin Act 20,
2 is repealed.

3 SECTION 37. 165.95 (5p) of the statutes is created to read:

4 165.95 (5p) (a) The department of justice shall, annually, analyze the data
5 submitted under sub. (5) (bg) and prepare a progress report that evaluates the
6 effectiveness of the grant program. The department of justice shall submit a copy of
7 the report to the criminal justice coordinating council and shall make the report
8 available to the public.

9 (b) The department of justice shall, every 5 years, prepare a comprehensive
10 report that analyzes the data it receives under sub. (5) (bg) and the annual reports
11 it produces under par. (a). The department of justice shall include in this
12 comprehensive report a cost benefit analysis of the grant program and shall submit
13 the report to the criminal justice coordinating council and to the chief clerk of each
14 house of the legislature for distribution to the legislature under s. 13.172 (2).

15 (c) The department of justice may enter into one or more contracts with another
16 person for the purpose of evaluating the grant program and preparing the reports
17 under pars. (a) and (b). The department of justice shall fund such contracts from
18 moneys appropriated under s. 20.455 (2) (em) and (kv) with not more than 10 percent
19 of the amount awarded as grants under sub. (2).

20 SECTION 38. 165.95 (6) of the statutes, as affected by 2013 Wisconsin Act 20,
21 is amended to read:

22 165.95 (6) ~~Two or more counties~~ A county or tribe may, with one or more other
23 counties or tribes, jointly apply for and receive a grant under this section. If counties
24 submit Upon submitting a joint application, they each county or tribe shall include
25 with their the application a written agreement specifying each tribe's and each

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3845/P1ins
PJH:kjfrs

INSERT ANALYSIS:

no #
* The bill requires each county that receives a TAD grant to submit to DOJ data requested by the DOJ for the purpose of evaluating the effectiveness of the county's TAD program. The bill requires DOJ to prepare an annual progress report using that data and, every five years, to prepare a comprehensive report for submission to the legislature that provides a cost benefit analysis of the TAD grant program.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3845/P2
PJH:kjfrs

mr

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1-14-14
no changes from 1 PD to 11

Regen

1 AN ACT *to create* 165.95 (5) (bg) and 165.95 (5p) of the statutes; relating to:
2 providing grants to counties that offer substance abuse treatment and
3 diversion from incarceration and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice (DOJ) provides grants to counties that have established qualifying treatment and diversion (TAD) programs for persons who are or may be charged with, or who are convicted of, an offense related to the person's use or abuse of alcohol or other drugs. TAD programs are intended to offer alternatives to prosecution or incarceration. Current law requires DOJ to evaluate the grant program every two years.

This bill increases funding for TAD grants by \$1,500,000 in each fiscal year of the current fiscal biennium. The bill requires each county that receives a TAD grant to submit to DOJ data requested by DOJ for the purpose of evaluating the effectiveness of the county's TAD program. The bill requires DOJ to prepare an annual progress report using that data and, every five years, to prepare a comprehensive report for submission to the legislature that provides a cost benefit analysis of the TAD grant program.

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

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

1 **SECTION 1.** 165.95 (5) (bg) of the statutes is created to read: ✓

2 165.95 (5) (bg) A county that receives a grant under this section shall submit
3 data requested by the department of justice to the department of justice each month.
4 The department of justice may request any data regarding the project funded by the
5 grant that is necessary to evaluate the project and prepare the reports under sub.
6 (5p).

7 **SECTION 2.** 165.95 (5p) of the statutes is created to read: ✓

8 165.95 (5p) (a) The department of justice shall, annually, analyze the data
9 submitted under sub. (5) (bg) and prepare a progress report that evaluates the
10 effectiveness of the grant program. The department of justice shall make the report
11 available to the public.

12 (b) The department of justice shall, every 5 years, prepare a comprehensive
13 report that analyzes the data it receives under sub. (5) (bg) and the annual reports
14 it produces under par. (a). The department of justice shall include in this
15 comprehensive report a cost benefit analysis of the grant program and shall submit
16 the report to the chief clerk of each house of the legislature for distribution to the
17 legislature under s. 13.172 (2).

18 **SECTION 3. Fiscal changes.**

19 (1) TREATMENT AND DIVERSION PROGRAMS. In the schedule under section 20.005
20 (3) of the statutes for the appropriation to the department of justice under section
21 20.455 (2) (em) of the statutes, as affected by the acts of 2013, the dollar amount is
22 increased by \$1,500,000 for the first fiscal year of the fiscal biennium in which this
23 subsection takes effect to provide grants for counties that establish alternatives for
24 prosecution and incarceration. In the schedule under section 20.005 (3) of the
25 statutes for the appropriation to the department of justice under section 20.455 (2)

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2 by \$1,500,000 for the second fiscal year of the fiscal biennium in which this
3 subsection takes effect to provide grants for counties that establish alternatives for
4 prosecution and incarceration.

5

(END)

Parisi, Lori

From: Evenson, Andrew
Sent: Thursday, January 16, 2014 9:52 AM
To: LRB.Legal
Subject: Draft Review: LRB -3845/1 Topic: Additional moneys to TAD grants

Please Jacket LRB -3845/1 for the SENATE.