



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Assembly Bill 294

Assembly Amendment 1

Memo published: November 7, 2017

*Contact: Katie Bender-Olson, Senior Staff Attorney
Mike Queensland, Senior Staff Attorney*

2017 ASSEMBLY BILL 294

With certain exceptions, 2017 Assembly Bill 294 (“the bill”) allows the superintendent of an institution or other public officer to cremate and bury an unclaimed corpse. The bill also does the following:

- Prohibits cremation of an unclaimed corpse if the deceased person died as a result of homicide.
- Requires the Department of Corrections (DOC) to provide written notification to a deceased inmate’s relative informing him or her that DOC will allow the relative to claim the cremated remains before the remains are buried.
- Expressly allows DOC to charge a prisoner’s estate for some or all of the costs to the department of the inmate’s incarceration, burial, or cremation and burial.
- Requires DOC to assess, collect, and disburse the amount an inmate owes in restitution at the time of his or her death from the inmate’s wages or other moneys.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 clarifies that DOC cannot collect any money from a deceased inmate’s prisoner account to pay for burial or cremation until **after** DOC uses any residual funds to pay off remaining restitution the inmate owed.

BILL HISTORY

Representative Hutton introduced Assembly Amendment 1 on October 31, 2017. On November 7, 2017, the Assembly Committee on Corrections voted to recommend adoption of Assembly Amendment 1 and passage of the bill, as amended, on votes of Ayes, 9; Noes, 0.

KBO:MQ:ty:jal