2019 DRAFTING REQUEST

Bill ·

For:

André Jacque (608) 266-3512

Drafter:

mjohns

By:

Himself

Secondary Drafters:

Date:

12/27/2018

May Contact:

Same as LRB:

-1825

Submit via email:

YES

Requester's email: Carbon copy (CC) to: Sen.Jacque@legis.wisconsin.gov

Melinda.Johns@legis.wisconsin.gov

Elizabeth.Wheeler@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Bringing an object into prison or jail with intent to keep for oneself

Instructions:

Redraft 2017 AB 984 for 2019 legislative session

Drafting History:

Reviewed

Submitted

Jacketed

Required

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/P1

/1

Vers.

mjohns 12/27/2018

Drafted

kfollett 1/2/2019

12/2//2010

mbarman

Crime

1/2/2019

lparisi 2/6/2019

lparisi 2/6/2019

Crime

FE Sent For:

<END>

Not Needeel

Johns, Melinda

From:

Jacque, Andre

Sent:

Thursday, December 27, 2018 12:14 AM

To:

Johns, Melinda

Subject:

drafting request

Hello Melinda-

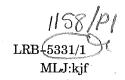
Please redraft 2017 AB 984 for me for the upcoming session.

Thanks!

André



State of Misconsin 2017 - 2018 LEGISLATURE



2017 ASSEMBLY BILL 984

February 28, 2018 - Introduced by Representatives Steineke, Tusler, Ballweg, Edming, Jacque, Mursau, Thiesfeldt, Tittl and Weatherston. Referred to Committee on Corrections.

1 AN ACT to renumber and amend 302.095 (2); and to create 302.095 (2) (a) 2.

2 and 302.095 (2) (b) of the statutes; **relating to:** bringing contraband into a jail or prison and providing a criminal penalty.

Analysis by the Legislative Reference Bureau

Under current law, it is a crime to bring a prohibited object into a jail or prison with the intent to deliver the object to another person, or to transport a prohibited item out of a jail or prison. Under the bill, it is also a crime to bring a prohibited object into a jail or prison with intent to keep the object for oneself.

and control

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

- SECTION 1. 302.095 (2) of the statutes is renumbered 302.095 (2) (a) (intro.) and amended to read:
 - 302.095 (2) (a) (intro.) Any officer or other person who delivers or does any of the following contrary to the rules or regulations and without the knowledge or permission of the sheriff or other keeper of the jail, in the case of a jail, or the warden or superintendent of the prison, in the case of a prison, is guilty of a Class I felony:

ASSEMBLY BILL 984

1. Delivers, procures to be delivered, or has in his or her possession with in	tent
to deliver to any inmate confined in a jail or state prison, or who deposits or conc	eals
in or about a jail or prison, or the precincts of a jail or prison, or in any vehicle go	əing
into the premises belonging to a jail or prison, any article or thing whatever, v	vith
intent that any inmate confined in the jail or prison shall obtain or receive the sa	me,
o r who receives .	
3. Receives from any inmate any article or thing whatever with intent to con	ıvey
the same out of a jail or prison, contrary to the rules or regulations and without	the
knowledge or permission of the sheriff or other keeper of the jail, in the case of a	jail,
or of the warden or superintendent of the prison, in the case of a prison, is guilt	y of
a Class I felony.	
SECTION 2. 302.095 (2) (a) 2. of the statutes is created to read:	
302.095 (2) (a) 2. Deposits or conceals in or about a jail or prison, or	the
precincts of a jail or prison, or in any vehicle going into the premises belonging	to a
jail or prison, any article or thing whatever, with intent that any inmate confine	d in
the jail or prison shall obtain or receive the same.	
Section 3. 302.095 (2) (b) of the statutes is created to read:	
302.095 (2) (b) Any person who, contrary to the rules or regulations	and

thing whatever, is guilty of a Class I felony.

without the knowledge or permission of the sheriff or other keeper of the jail, in the

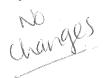
case of a jail, or the warden or superintendent of the prison, in the case of a prison,

has in his or her possession with intent to retain for himself or herself any article or



State of Misconsin 2019 - 2020 LEGISLATURE

LRB-1158/P1 MLJ:kjf



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1	AN ACT to renumber and amend 302.095 (2); and to create 302.095 (2) (a) 2.
2	and 302.095 (2) (b) of the statutes; relating to: bringing contraband into a jail
3	or prison and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, it is a crime to bring a prohibited object into a jail or prison with the intent to deliver the object to another person, or to transport a prohibited item out of a jail or prison. Under the bill, it is also a crime to bring a prohibited object into a jail or prison with intent to keep the object for oneself.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

SECTION 1. 302.095 (2) of the statutes is renumbered 302.095 (2) (a) (intro.) and amended to read:

302.095 (2) (a) (intro.) Any officer or other person who delivers or does any of the following contrary to the rules or regulations and without the knowledge or

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SECTION	1

per	$\mathbf{rmission}$	of the s	<u>sheriff o</u>	or other	· kee	per o	f the:	jail	, in the	e cas	e of a	ı jail	, or the	ware	den
						-			•						
or	<u>superint</u>	endent	of the	prison,	in t	he ca	se of	ар	rison,	is g	ilty	of a	Class	I felo	ny:

1. Delivers, procures to be delivered, or has in his or her possession with intent to deliver to any inmate confined in a jail or state prison, or who deposits or conceals in or about a jail or prison, or the precincts of a jail or prison, or in any vehicle going into the premises belonging to a jail or prison, any article or thing whatever, with intent that any inmate confined in the jail or prison shall obtain or receive the same, or who receives.

3. Receives from any inmate any article or thing whatever with intent to convey the same out of a jail or prison, contrary to the rules or regulations and without the knowledge or permission of the sheriff or other keeper of the jail, in the case of a jail, or of the warden or superintendent of the prison, in the case of a prison, is guilty of a Class I felony.

Section 2. 302.095 (2) (a) 2. of the statutes is created to read:

302.095 (2) (a) 2. Deposits or conceals in or about a jail or prison, or the precincts of a jail or prison, or in any vehicle going into the premises belonging to a jail or prison, any article or thing whatever, with intent that any inmate confined in the jail or prison shall obtain or receive the same.

Section 3. 302.095 (2) (b) of the statutes is created to read:

302.095 (2) (b) Any person who, contrary to the rules or regulations and without the knowledge or permission of the sheriff or other keeper of the jail, in the case of a jail, or the warden or superintendent of the prison, in the case of a prison, has in his or her possession with intent to retain for himself or herself any article or thing whatever, is guilty of a Class I felony.