
Wisconsin Legislative Council

AMENDMENT MEMO



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2025 Senate Bill 57

Senate Amendment 1

2025 SENATE BILL 57

2025 Senate Bill 57 generally requires sheriffs to undertake various actions relating to certain individuals confined in county jails.

First, the bill requires a sheriff to request proof of whether an individual is lawfully present in the United States from any individual confined in the jail for an offense punishable as a felony. The bill specifies the types of documents that constitute proof of lawful presence. If a sheriff is unable to verify that an individual is lawfully present in the United States, the sheriff must immediately inform the U.S. Department of Homeland Security (DHS) of that inability to make a verification.

Separately, the bill requires a sheriff to comply with the requests of a detainer in the event the sheriff receives a detainer and administrative warrant from DHS that reasonably appears to be for an individual who is confined in the jail for a criminal offense. The sheriff must seek reimbursement from the federal government for any costs incurred while holding individuals under this requirement.

Under the bill, a sheriff must certify by July 1 of each year that, for the preceding year, the sheriff has complied with the bill's requirements. If, in any year, a county's sheriff fails to certify compliance, the bill requires the secretary of administration to reduce the county's payments under the county and municipal aid program (commonly referred to as "shared revenue") for the next year by 15 percent.

The bill also does all of the following:

- Requires the sheriff to maintain a record of the number of individuals confined in the county jail for a felony offense who are verified as unlawfully present and a list of the types of crimes for which those individuals were confined in the jail, and provide such records to the Department of Justice (DOJ) upon request.
- Requires DOJ to submit a report compiling the data collected from sheriffs to the appropriate legislative standing committees semiannually beginning January 1, 2027.
- Provides immunity from criminal and civil liability to any law enforcement agency, or law enforcement officer employed by a law enforcement agency, for any action taken under the bill's requirements.

SENATE AMENDMENT 1

Senate Amendment 1 requires a sheriff to comply with the requests of a detainer only when receiving a detainer and administrative warrant from DHS that reasonably appears to be for an individual confined in the jail for an offense punishable as a felony, rather than for a "criminal offense," as provided in the bill, a term that encompasses both felony and misdemeanor offenses.

BILL HISTORY

Senator Bradley offered Senate Amendment 1 on March 12, 2025. On June 12, 2025, the Senate Committee on Licensing, Regulatory Reform, State and Federal Affairs recommended adoption of the amendment on votes of Ayes, 3; Noes, 2, and recommended passage of Senate Bill 57, as amended, on votes of Ayes, 3; Noes, 2.

For a full history of the bill, visit the Legislature's [bill history page](#).

MSK:jal