

classes, meetings, meals, appointments and their quarters. Any inmate who intentionally violates this section is guilty of an offense.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 303.51 Leaving assigned area. Any inmate who intentionally leaves a room or area where he or she is attending any scheduled activity such as a class, meal, religious service, group meeting or other event, or who leaves the immediate area of a work or school assignment before the event or the work or school assignment is over is guilty of an offense, unless:

(1) The inmate gets permission to leave from a staff member supervising the activity; or

(2) The inmate has a valid pass to go somewhere else at that time.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 303.511 Being in an unassigned area. Any inmate who, without a staff member's permission, intentionally enters or remains in a room or area other than the one to which he or she is assigned is guilty of an offense.

History: Cr. Register, April, 1985, No. 352, eff. 5-1-85.

HSS 303.52 Entry of another inmate's quarters. (1) Any inmate who enters the quarters of any other inmate or permits another to enter his or her quarters, is guilty of an offense, unless such entry is:

(a) Part of a work assignment and under the supervision of a staff member; or

(b) Allowed according to posted institution policies and procedures.

(2) Reaching, leaning, or putting any object or part of the body into another inmate's quarters is included in "entering."

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

OFFENSES AGAINST SAFETY AND HEALTH

HSS 303.54 Improper storage. (1) Food, toiletries, hobby materials, medications, cleaning supplies and certain other items shall be kept in the original containers, unless otherwise specified, and in their authorized place. Any inmate who intentionally stores any of these items in a different container or in an unauthorized place is guilty of an offense.

(2) Each institution may adopt specific procedures relating to the storage of items. Violation of these procedures is an offense.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 303.55 Dirty quarters. Each institution or residence hall shall adopt and post specific procedures regulating the organization, neatness and cleanliness of inmates' quarters. Any inmate whose quarters do not comply with the posted procedures is guilty of an offense, provided that the inmate had knowledge of the condition of his or her quarters and had the opportunity to clean or rearrange it.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

Register, July, 1987, No. 379

HSS 303

HSS 303.56 Poor grooming. (1) Any inmate whose personal cleanliness or grooming is a health hazard to himself or herself, or others, and who has knowledge of this condition and the opportunity to correct it, but does not, is guilty of an offense.

(2) Any inmate who knowingly fails to shower at least once a week, unless the inmate has a medical excuse, is guilty of an offense.

(3) Inmates performing work assignments which may reasonably be considered to be hazardous may be required to maintain suitably cut hair, or to wear protective head gear or nets. Any inmate who fails to wear such required devices or who fails to maintain suitably cut hair is guilty of an offense.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 303.57 Misuse of prescription medication. Any inmate who knowingly does any of the following is guilty of an offense:

- (1) Takes more of a prescription medication than was prescribed;
- (2) Takes a prescription medication more often than was prescribed;
- (3) Takes a prescription medication which was not prescribed for him or her; or
- (4) Possesses or takes any prescription medication except at the time and place where he or she is supposed to take it.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 303.58 Disfigurement. Any inmate who intentionally cuts, pierces, removes, mutilates, discolors or tattoos any part of his or her body or the body of another, is guilty of an offense.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

MISCELLANEOUS OFFENSES

HSS 303.59 Use of intoxicants. (1) Any inmate who intentionally takes into his or her body any intoxicating substance, except prescription medication in accordance with the prescription, is guilty of an offense.

(2) (a) When a test on a specimen of an inmate's breath, blood, stool or urine or a physical examination of an inmate indicates use of an intoxicating substance, and the test or examination was requested in accordance with s. HSS 306.16, the inmate is guilty of an offense, unless the use of the intoxicating substance was not intentional or was the result of legitimate use of prescription medication.

(b) The results of a test conducted under par. (a) on a specimen of an inmate's urine shall be confirmed by a second test if all of the following conditions are met:

1. The test under par. (a) is the sole evidence of use of intoxicants;
2. A major penalty as defined in s. HSS 303.68 (1) (a) will be imposed as a result of the test under par. (a);
3. The inmate does not admit the use of intoxicating substances; and
4. The inmate requests a confirmatory test.

Register, July, 1987, No. 379

(c) Any confirmatory test shall be conducted in accordance with division procedures and shall be a separate test approved by the state laboratory of hygiene using a chemical method different from the first test.

(d) An inmate who requests a confirmatory test shall pay for half the cost of the test. If the inmate does not have sufficient funds to pay for half the cost of the test, the institution in which the inmate is confined shall loan the inmate the necessary funds. If the confirmatory test does not validate the results of the first test, the inmate shall be refunded any money he or she contributed to the cost of the confirmatory test.

(3) The refusal of an inmate to either provide a body fluids specimen or to submit to a physical examination or a breathalyzer test requested in accordance with s. HSS 306.16 is an offense.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80; am. Register, January, 1987, No. 373, eff. 2-1-87; emerg. r. and recr. (2), eff. 3-6-87; r. and recr. (2), Register, July, 1987, No. 379, eff. 8-1-87.

HSS 303.60 Gambling. (1) Any inmate who gambles is guilty of an offense. "Gambles" includes betting money or anything of value on the outcome of all or any part of any game of skill or chance or an athletic contest or on the outcome of any event.

(2) Any inmate who organizes a lottery or betting pool or game played for money or anything of value, is guilty of an offense.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 303.61 Refusal to work or attend school. Any inmate who intentionally refuses to perform his or her work assignment or attend school,

Next page is numbered 49