



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-0552/P3  
EHS:skw

DOA:.....Schmidt, BB0151 - Juvenile detention facility 180/365 programs  
**FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**CORRECTIONAL SYSTEM**

**JUVENILE CORRECTIONAL SYSTEM**

***Placement of juveniles in a juvenile detention facility***

This bill eliminates as an available disposition under the Juvenile Justice Code the placement of a juvenile in a juvenile detention facility or juvenile portion of a county jail for more than 30 days. Under current law, the juvenile court may place a juvenile that has been adjudicated delinquent in a juvenile detention facility or juvenile portion of a county jail for up to 30 days or, if the facility is eligible, up to 365 days. A juvenile detention facility is eligible to accept a juvenile for more than 30 days if 1) prior to January 1, 2018, the county board of supervisors of the county operating the facility has adopted a resolution authorizing such a placement and 2) the county has not been awarded a grant under the juvenile corrections grant program, which provides funding for the establishment of a secured residential care center for children and youth.

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

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

**SECTION 1.** 48.526 (7) (d) of the statutes, as created by 2021 Wisconsin Act ... (this act), is amended to read:

48.526 (7) (d) Of the amounts specified in par. (a), the department shall allocate an amount not to exceed \$2,663,800 for the last 6 months of 2021, \$9,428,600 for 2022, and \$6,764,900 for the first 6 months of 2023 for costs incurred by a county for the care and maintenance of a juvenile placed under the supervision of a county department or the department of corrections in a ~~juvenile detention facility under s. 938.22 (2) (d) 1.,~~ juvenile correctional facility, or a secured residential care center for children and youth.

\*\*\*\*NOTE: This is reconciled s. 48.526 (7) (d). This SECTION has been affected by drafts with the following LRB numbers: -0552/P2 and -0547/P8.

**SECTION 2.** 938.22 (2) (d) of the statutes is repealed.

**SECTION 3.** 938.34 (3) (f) 1. of the statutes is amended to read:

938.34 (3) (f) 1. The placement may be for any combination of single or consecutive days totalling not more than ~~365 in a juvenile detention facility under s. 938.22 (2) (d) 1. and may be for no more than 30 consecutive days in any other juvenile detention facility~~ 30, including any placement under pars. (a) to (e). The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this paragraph for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed.

**SECTION 9308. Initial applicability; Corrections.**

(1) PLACEMENT IN A JUVENILE DETENTION FACILITY. The treatment of ss. 48.526 (7) (d) (by SECTION 1), 938.22 (2) (d), and 938.34 (3) (f) 1. first applies to a juvenile adjudicated delinquent on the effective date of this subsection.

\*\*\*\*NOTE: This is reconciled SECTION 9308 (1). This SECTION has been affected by drafts with the following LRB numbers: -0552/P2 and -0547/P8.

**SECTION 9408. Effective dates; Corrections.**

(1) PLACEMENT IN A JUVENILE DETENTION FACILITY. The treatment of ss. 48.526 (7) (d) (by SECTION 1), 938.22 (2) (d), and 938.34 (3) (f) 1. and SECTION 9308 (1) of this act take effect one year after the date specified in the notice under [2017 Wisconsin Act 185](#), SECTION 110 (2) (b).

\*\*\*NOTE: This is reconciled SECTION 9408 (1). This SECTION has been affected by drafts with the following LRB numbers: -0552/P2 and -0547/P8.

(END)