



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1207/P3
EHS:emw&kjf

DOA:.....Schmidt, BB0419 - Juvenile correctional daily rates

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
CORRECTIONAL SYSTEM
JUVENILE CORRECTIONAL SYSTEM

Daily rates for juvenile correctional services

Current law establishes at \$615 the per person daily rate paid by counties to DOC for services provided to juveniles in a Type 1 juvenile correctional facility (daily rate). This bill eliminates the daily rate set in statute and requires DOC to specify the daily rate. Under current law and the bill, these payments are credited to a DOC appropriation for juvenile correctional services. Under current law, if there is a deficit in that appropriation account at the close of the fiscal biennium, the governor must increase the daily rate by \$6 in the executive budget bill for each fiscal biennium until the deficit is eliminated. Under the bill, in the case of such a deficit, the secretary of corrections may increase the daily rate and the daily cost assessment for counties for care in a foster home, group home, or residential care center for children and youth and for community supervision services by \$6 until the deficit is eliminated.

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

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

SECTION 1. 301.26 (4) (b) of the statutes is amended to read:

301.26 (4) (b) Assessment of costs under par. (a) shall be made periodically on the basis of the per person per day cost estimate specified in par. (d) 2., ~~3.~~, and 4. Except as provided in pars. (bm), (c), and (cm), liability shall apply to county departments under s. 46.215, 46.22, or 46.23 in the county of the court exercising jurisdiction under ch. 938 for each person receiving services from the department of corrections under s. 938.183 or 938.34 or the department of health services under s. 46.057 or 51.35 (3). Except as provided in pars. (bm), (c), and (cm), in multicounty court jurisdictions, the county of residency within the jurisdiction shall be liable for costs under this subsection. Assessment of costs under par. (a) shall also be made according to the general placement type or level of care provided, as defined by the department, and prorated according to the ratio of the amount designated under s. 48.526 (3) (c) to the total applicable estimated costs of care, services, and supplies provided by the department of corrections under ss. 938.183 and 938.34 and the department of health services under s. 46.057 or 51.35 (3).

SECTION 2. 301.26 (4) (cm) 3. of the statutes is amended to read:

301.26 (4) (cm) 3. The per person daily reimbursement rate for juvenile correctional services under this paragraph shall be equal to the per person daily cost assessment to counties under par. (d) 2., ~~3.~~, and 4. for juvenile correctional services.

SECTION 3. 301.26 (4) (cx) of the statutes is amended to read:

301.26 (4) (cx) If, notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and 20.903, there is a deficit in the appropriation account under s. 20.410 (3) (hm) at the close of a fiscal biennium, the ~~governor shall~~ secretary may, to address that deficit, increase each of the rates specified under s. 301.26 (4) (d) ~~2. and 3. for care in a Type 1 juvenile correctional facility and for care for juveniles transferred from a~~

~~correctional institution~~ by \$6, in addition to any increase due to actual costs, ~~in the executive budget bill for each fiscal biennium,~~ until the deficit under s. 20.410 (3) (hm) is eliminated.

***NOTE: This is reconciled s. 301.26 (4) (cx). This SECTION has been affected by drafts with the following LRB numbers: -1207 and -0556.

SECTION 4. 301.26 (4) (d) 3. of the statutes is repealed.

***NOTE: This is reconciled s. 301.26 (4) (d) 3. This SECTION has been affected by drafts with the following LRB numbers: -1207 and -0556.

(END)