



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1712/P1
EHS&MJW:skw

DOA:.....Hutter, BB0405 - DOC juvenile corrections daily rate

FOR 2025-2027 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

Under current law, DOC charges counties for the costs of certain juvenile correctional services DOC provides according to a per person daily cost assessment specified in the statutes (daily rate). Counties use community youth and family aids (youth aids) funding allocated to them from various state and federal moneys to pay these costs. Under current law, the daily rate for care of a juvenile who is in a Type 1 juvenile correctional facility or transferred from a juvenile correctional facility to an inpatient treatment facility is set at \$1,268 until June 30, 2025. The bill continues this daily rate until June 30, 2027.

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

BILL**SECTION 1**

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, 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.

SECTION 4. 301.26 (4) (d) 2. of the statutes is repealed.

SECTION 5. 301.26 (4) (d) 3. of the statutes is amended to read:

301.26 (4) (d) 3. Beginning on July 1, ~~2024~~ 2025, and ending on June 30, ~~2025~~

BILL**SECTION 5**

2027, the per person daily cost assessment to counties shall be, for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), \$1,268 and, for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), \$1,268.

SECTION 6. 938.357 (3) (d) of the statutes is amended to read:

938.357 (3) (d) A juvenile who is placed in a Type 1 juvenile correctional facility under par. (b) or (c) is the financial responsibility of the county department of the county where the juvenile was adjudicated delinquent. The county department shall reimburse the department of corrections at the rate specified under s. 301.26 (4) (d) ~~2. or 3., whichever is applicable,~~ for the cost of a juvenile's care while placed in a Type 1 juvenile correctional facility other than the Mendota juvenile treatment center. The county department shall reimburse the department of health services at a rate specified by that department for the cost of a juvenile's care while placed at the Mendota juvenile treatment center and these payments shall be deposited in the appropriation account under s. 20.435 (2) (gk).

(END)