

State of Misconsin 2017 - 2018 LEGISLATURE

LRB-5331/1 MLJ:kjf

## 2017 ASSEMBLY BILL 984

February 28, 2018 – Introduced by Representatives STEINEKE, TUSLER, BALLWEG, EDMING, JACQUE, MURSAU, THIESFELDT, TITTL and WEATHERSTON. Referred to Committee on Corrections.

| 1 | AN ACT to renumber and amend 302.095 (2); and to create 302.095 (2) (a) 2.               |
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| 2 | and 302.095 (2) (b) of the statutes; <b>relating to:</b> bringing contraband into a jail |
| 3 | or prison and providing a criminal penalty.  |

## Analysis by the Legislative Reference Bureau

Under current law, it is a crime to bring a prohibited object into a jail or prison with the intent to deliver the object to another person, or to transport a prohibited item out of a jail or prison. Under the bill, it is also a crime to bring a prohibited object into a jail or prison with intent to keep the object for oneself.

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

4 **SECTION 1.** 302.095 (2) of the statutes is renumbered 302.095 (2) (a) (intro.) and

5 amended to read:

| 6 | 302.095 <b>(2)</b> | (a) (intro.) | Any officer | or other perso | n who <del>delivers or</del> | does any of |
|---|--------------------|--------------|-------------|----------------|------------------------------|-------------|
|   |                    |              |             |                |                              |             |

- 7 <u>the following contrary to the rules or regulations and without the knowledge or</u>
- 8 permission of the sheriff or other keeper of the jail, in the case of a jail, or the warden
- 9 <u>or superintendent of the prison, in the case of a prison, is guilty of a Class I felony:</u>

## **ASSEMBLY BILL 984**

| 1  | <u>1. Delivers</u> , procures to be delivered, or has in his or her possession with intent          |
|----|---|
| 2  | to deliver to any inmate confined in a jail or state prison, <del>or who deposits or conceals</del> |
| 3  | in or about a jail or prison, or the precincts of a jail or prison, or in any vehicle going         |
| 4  | into the premises belonging to a jail or prison, any article or thing whatever, with                |
| 5  | intent that any inmate confined in the jail or prison shall obtain or receive the same,             |
| 6  | <del>or who receives</del> .  |
| 7  | 3. Receives from any inmate any article or thing whatever with intent to convey                     |
| 8  | the same out of a jail or prison <del>, contrary to the rules or regulations and without the</del>  |
| 9  | knowledge or permission of the sheriff or other keeper of the jail, in the case of a jail,          |
| 10 | or of the warden or superintendent of the prison, in the case of a prison, is guilty of             |
| 11 | <del>a Class I felony</del> .   |
| 12 | SECTION 2. 302.095 (2) (a) 2. of the statutes is created to read:                                   |
| 13 | 302.095 (2) (a) 2. Deposits or conceals in or about a jail or prison, or the                        |
| 14 | precincts of a jail or prison, or in any vehicle going into the premises belonging to a             |
| 15 | jail or prison, any article or thing whatever, with intent that any inmate confined in              |
| 16 | the jail or prison shall obtain or receive the same.  |
| 17 | <b>SECTION 3.</b> 302.095 (2) (b) of the statutes is created to read:                               |
| 18 | 302.095 (2) (b) Any person who, contrary to the rules or regulations and                            |
| 19 | without the knowledge or permission of the sheriff or other keeper of the jail, in the              |
| 20 | case of a jail, or the warden or superintendent of the prison, in the case of a prison,             |
| 21 | has in his or her possession with intent to retain for himself or herself any article or            |
| 22 | thing whatever, is guilty of a Class I felony.  |
| 23 | (END)   |