



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-2873/1
MJW&EHS:cdc

2025 ASSEMBLY BILL 251

May 8, 2025 - Introduced by Representatives BROOKS and WICHGERS, cosponsored by Senator JACQUE. Referred to Committee on State and Federal Relations.

1 **AN ACT** *to renumber* 1.031; *to amend* 938.12 (1) and 938.13 (intro.); *to create*
2 1.03 (4) and 1.031 (2) of the statutes; **relating to:** jurisdiction over juveniles
3 on federal enclaves.

Analysis by the Legislative Reference Bureau

Under current law, land ceded by Wisconsin to the U.S. government for federal use is subject to concurrent jurisdiction to the extent that all legal and military process issued under the authority of the state may be served anywhere on such land. In general, federal officials exercise jurisdiction over matters arising on federal lands within the state, and the governor may accept an offer from an appropriate federal authority to resume state jurisdiction over such lands. Such an offer is called retrocession of jurisdiction.

This bill provides that the state retains concurrent jurisdiction over matters involving juveniles on land ceded by Wisconsin to the U.S. government for federal use. The bill requires the governor to accept retrocession of jurisdiction over any matter involving a juvenile if it is offered by an appropriate federal authority.

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

ASSEMBLY BILL 251**SECTION 1**

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

SECTION 1. 1.03 (4) of the statutes is created to read:

1.03 (4) That the state shall forever retain concurrent jurisdiction over any matter involving a juvenile 10 years of age or older who is alleged to be delinquent under s. 938.12 (1), or a juvenile alleged to be in need of protection or services under s. 938.13.

SECTION 2. 1.031 of the statutes is renumbered 1.031 (1).

SECTION 3. 1.031 (2) of the statutes is created to read:

1.031 (2) The governor shall accept on behalf of the state, retrocession of full or partial jurisdiction over any juvenile 10 years of age or older who is alleged to be delinquent under s. 938.12 (1) or juvenile alleged to be in need of protection or services under s. 938.13 due to acts committed by a juvenile within federal enclaves within the state where such retrocession has been offered by appropriate federal authority. Documents concerning such action shall be filed in the office of the secretary of state and recorded in the office of the register of deeds of the county wherein such lands are located.

SECTION 4. 938.12 (1) of the statutes is amended to read:

938.12 (1) IN GENERAL. The court has exclusive jurisdiction, except as provided in ss. 1.03 (4), 938.17, 938.18, and 938.183, over any juvenile 10 years of age or older who is alleged to be delinquent.

SECTION 5. 938.13 (intro.) of the statutes is amended to read:

938.13 Jurisdiction over juveniles alleged to be in need of protection or services. (intro.) Except as provided in ~~s.~~ ss. 1.03 (4) and 938.028 (3), the court

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SECTION 5

1 has exclusive original jurisdiction over a juvenile alleged to be in need of protection
2 or services which can be ordered by the court if any of the following conditions
3 applies:

4 (END)