



State of Wisconsin
2021 - 2022 LEGISLATURE

LRBs0452/1
MPG&CMH:amn

**SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 777**

March 8, 2022 - Offered by Senators CARPENTER, PFAFF, SMITH and RINGHAND.

1 **AN ACT** *to repeal* 165.986 (6); *to renumber and amend* 165.986 (1), 165.986
2 (2) and 165.986 (4); *to amend* 20.455 (2) (bm), 20.455 (2) (kb), 165.986 (title),
3 165.986 (3) and 165.986 (5); and *to create* 16.20, 20.505 (1) (e), 20.505 (1) (eb),
4 165.986 (1c), 165.986 (2) (a) and (c) and 165.986 (4m) of the statutes; **relating**
5 **to:** grants to political subdivisions for additional policing and strategic
6 planning to combat crime, grants for beat patrol and specialized officers,
7 funding for the University of Wisconsin System and special education, and
8 making an appropriation.

Analysis by the Legislative Reference Bureau

Grants for additional policing

This bill authorizes the Department of Administration to award one or more grants to a city, village, town, or county for costs associated with additional policing to address automobile theft and carjacking. DOA must give priority to cities, villages, towns, or counties having a higher incidence of automobile theft or carjacking. Grants may be used to cover up to four years of additional policing costs

but may not be used to supplant funding that is available from other sources. The bill appropriates \$2,500,000 in general purpose revenue for the grants.

The bill also includes a requirement that grant recipients submit reports to DOA describing in detail how grant moneys were expended and the results of the expenditures, including any impact on the number of persons arrested and charged for automobile theft or carjacking.

Grants for strategic planning

The bill further authorizes DOA to award one or more grants to a city, village, town, or county for costs associated with strategic planning to combat crime. Grants may be used to cover up to two years of strategic planning costs but may not be used to supplant funding that is available from other sources. The bill appropriates \$2,500,000 in general purpose revenue for the grants.

The bill also includes a requirement that grant recipients submit a report to DOA describing in detail how grant moneys were expended and the results of such expenditures.

Grants for uniformed beat patrol and public safety goals

Under current law, the Department of Justice awards grants to cities to pay for uniformed beat patrol law enforcement officers. The bill appropriates an additional \$2,500,000 per fiscal year in general purpose revenue for the grants. The bill also expands the grant program to allow villages, town, and counties, in addition to cities, to apply for such grants and to allow grant recipients to use grant funds to pay for law enforcement officers whose primary duties relate to achieving a law enforcement or public safety goal. The bill eliminates the current-law cap of \$150,000 per grant and eliminates the requirement that DOJ award the grant to the applicants with the highest rates of violent crime. The bill eliminates the current law that allows for grants to be awarded for three consecutive years and instead requires annual applications. Also, under the bill, a grant recipient that applies for an additional grant must provide a statement to DOJ regarding its progress in achieving the goals for which the previous grant was awarded.

Additional funding for UW System and special education

The bill also provides additional funding for 1) the University of Wisconsin System under its general program operations appropriation; and 2) special education aid for school districts, independent charter schools, cooperative educational service agencies, and county children with disabilities education boards for purposes of maintaining compliance with maintenance of effort requirements of the federal Consolidated Appropriations Act and the federal American Rescue Plan Act.

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

16.20 Grants for additional policing and strategic planning. (1)

DEFINITION. In this section, “political subdivision” means a city, village, town, or county.

(2) ADDITIONAL POLICING. (a) From the appropriation under s. 20.505 (1) (e), the department shall award one or more grants to a political subdivision for costs associated with additional policing to address automobile theft and carjacking within the political subdivision. In awarding the grants, the department shall give priority to the political subdivisions having a higher incidence of automobile theft or carjacking.

(b) No political subdivision may have more than a total of 4 years of additional policing costs funded by grants under par. (a).

(c) The department shall ensure that no grant awarded under par. (a) is used to supplant funding available to the political subdivision from other sources.

(d) Each political subdivision that receives a grant under par. (a) shall submit a report to the department no later than 2 years after receiving the grant and again no later than 4 years after receiving the grant. Each report shall describe in detail how the grant moneys were expended and the results of those expenditures, including any impact on the number of persons arrested and charged for automobile theft or carjacking in the political subdivision.

(3) STRATEGIC PLANNING. (a) From the appropriation under s. 20.505 (1) (eb), the department shall award one or more grants to a political subdivision for costs associated with strategic planning to combat crime within the political subdivision.

(b) No political subdivision may have more than a total of 2 years of strategic planning costs funded by grants under par. (a).

1 (c) The department shall ensure that no grant awarded under par. (a) is used
2 to supplant funding available to the political subdivision from other sources.

3 (d) Each political subdivision that receives a grant under par. (a) shall submit
4 a report to the department no later than 2 years after receiving the grant. The report
5 shall describe in detail how the grant moneys were expended and the results of those
6 expenditures.

7 **SECTION 2.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
8 the following amounts for the purposes indicated:

2021-22 2022-23

9 **20.505 Administration, department of**

10 (1) SUPERVISION AND MANAGEMENT

11 (e) Grants for additional policing GPR C 2,500,000 -0-

12 (eb) Grants for strategic planning GPR C 2,500,000 -0-

13 **SECTION 3.** 20.455 (2) (bm) of the statutes is amended to read:

14 20.455 (2) (bm) *Law enforcement officer supplement grants — state funds.* The
15 amounts in the schedule for grants under s. 165.986 ~~(1)~~ (1m).

16 **SECTION 4.** 20.455 (2) (kb) of the statutes is amended to read:

17 20.455 (2) (kb) *Law enforcement officer supplement grants.* The amounts in the
18 schedule to provide grants for ~~uniformed~~ law enforcement officers under s. 165.986.
19 All moneys transferred from the appropriation account under s. 20.505 (1) (id) 3.
20 shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
21 unencumbered balance on June 30 of each year shall be transferred to the
22 appropriation account under s. 20.505 (1) (id).

23 **SECTION 5.** 20.505 (1) (e) of the statutes is created to read:

1 20.505 (1) (e) *Grants for additional policing*. As a continuing appropriation,
2 the amounts in the schedule for grants to political subdivisions for additional
3 policing under s. 16.20 (2).

4 **SECTION 6.** 20.505 (1) (eb) of the statutes is created to read:

5 20.505 (1) (eb) *Grants for strategic planning*. As a continuing appropriation,
6 the amounts in the schedule for grants to political subdivisions for strategic planning
7 to combat crime under s. 16.20 (3).

8 **SECTION 7.** 165.986 (title) of the statutes is amended to read:

9 **165.986** (title) **Beat patrol and specialized officers; grant program.**

10 **SECTION 8.** 165.986 (1) of the statutes is renumbered 165.986 (1m) and
11 amended to read:

12 165.986 (1m) The department of justice shall provide grants from the
13 appropriations under s. 20.455 (2) (bm) and (kb) to ~~cities~~ political subdivisions to
14 employ additional uniformed law enforcement officers whose primary duty is beat
15 patrolling. ~~A city is eligible for a grant under this subsection in fiscal year 1994-95~~
16 ~~if the city has a population of 25,000 or more~~ or specialized law enforcement officers.
17 A city political subdivision may receive a grant for a calendar year if ~~the city~~ it applies
18 for a grant before September 1 of the preceding calendar year. ~~Grants shall be~~
19 ~~awarded to the 10 eligible cities submitting an application for a grant that have the~~
20 ~~highest rates of violent crime index offenses in the most recent full calendar year for~~
21 ~~which data is available under the uniform crime reporting system of the federal~~
22 ~~bureau of investigation.~~

23 **SECTION 9.** 165.986 (1c) of the statutes is created to read:

24 165.986 (1c) In this section:

25 (a) “Political subdivision” means a city, village, town, or county.

1 (b) “Specialized law enforcement officer” means a law enforcement officer
2 whose primary duties and assignments relate to achieving a law enforcement or
3 public safety goal.

4 **SECTION 10.** 165.986 (2) of the statutes is renumbered 165.986 (2) (intro.) and
5 amended to read:

6 165.986 (2) (intro.) A city political subdivision applying to the department of
7 justice for a grant under sub. (1) (1m) shall ~~include a~~ submit to the department of
8 justice all of the following:

9 (b) A proposed plan of expenditure of the grant moneys that sets forth a
10 strategy for applying the grant moneys toward the goals identified in par. (a). If
11 grant moneys will be used for salary and fringe benefits of a specialized law
12 enforcement officer, the plan must include a description of the officer’s duties and
13 their relation to the goals identified in par. (a).

14 (2m) The grant moneys that a city political subdivision receives under sub. (1)
15 (1m) may be used for salary and fringe benefits only. Except as provided in sub. (3),
16 the positions for which funding is sought must be created on or after ~~April 21, 1994,~~
17 and result in a net increase in the number of uniformed law enforcement officers
18 assigned to beat patrol duties the date on which the application for the initial grant
19 under sub. (1m) is submitted. The department may issue a grant in 2 annual
20 payments, with the 2nd payment contingent upon the grant recipient’s progress in
21 meeting its goals as reported in sub. (4m).

22 **SECTION 11.** 165.986 (2) (a) and (c) of the statutes are created to read:

23 165.986 (2) (a) Goals the political subdivision identifies toward which the grant
24 moneys will be applied, using data that demonstrate specific problems and that may
25 be used as a measurement of progress toward the goals.

1 (c) If the applicant has received a previous grant under sub. (1m), a statement
2 of its progress in reducing crime or achieving other goals related to the purposes for
3 which it received the grant.

4 **SECTION 12.** 165.986 (3) of the statutes is amended to read:

5 165.986 (3) During the first 6 months of the first year of a grant under sub. ~~(1)~~
6 (1m), a city political subdivision may, with the approval of the department, use part
7 of the grant for the payment of salary and fringe benefits for overtime provided by
8 uniformed law enforcement officers whose primary duty is beat patrolling or by
9 specialized law enforcement officers. A city political subdivision may submit a
10 request to the department for a 3-month extension of the use of the grant for the
11 payment of overtime costs. To be eligible to use part of the first year's grant for
12 overtime costs, the city political subdivision shall provide the department with all
13 of the following:

14 (a) The reasons why uniformed law enforcement officers assigned to beat patrol
15 duties or specialized law enforcement officers need to work overtime.

16 (b) The status of the hiring and training of new uniformed law enforcement
17 officers who will have beat patrol duties or of specialized law enforcement officers.

18 (c) Documentation that a sufficient amount of the grant for the first year will
19 be available, during the period remaining after the payment of overtime costs, to pay
20 the salary and fringe benefits of the same number of uniformed officers whose
21 primary duty is beat patrolling or of specialized law enforcement officers that the
22 grant originally planned to pay.

23 **SECTION 13.** 165.986 (4) of the statutes is renumbered 165.986 (4) (a) and
24 amended to read:

1 165.986 (4) (a) The department shall develop criteria which, notwithstanding
2 s. 227.10 (1), need not be promulgated as rules under ch. 227, for use in determining
3 the amount to ~~grant~~ award to ~~cities~~ political subdivisions under sub. (1) ~~(1m)~~. The
4 department may not award an annual grant under sub. (1) in excess of \$150,000 to
5 any city criteria shall include, for each applicant, the rates of violent crime index
6 offenses in the most recent full calendar year for which data are available under the
7 uniform crime reporting system of the federal bureau of investigation and, if
8 applicable, the applicant's success in using previous grants to reduce crime or
9 achieve other goals set by the department. The criteria may also include the rates
10 of nonviolent crime in the political subdivision.

11 **(b)** The department shall ~~review any application and plan submitted under~~
12 ~~sub. (2) to determine if that~~ each application and, plan, and statement of progress
13 submitted under sub. (2) (c) or (4m) meet the requirements of this section.

14 **(c)** The grant that a ~~city~~ political subdivision receives under sub. (1) ~~(1m)~~ must
15 result in a net increase in the number of uniformed law enforcement officers assigned
16 to beat patrol duties or the number of specialized law enforcement officers and may
17 not supplant existing local resources. The political subdivision may not reduce its
18 expenditures as a result of receiving the grant.

19 **SECTION 14.** 165.986 (4m) of the statutes is created to read:

20 165.986 **(4m)** A political subdivision that receives a grant under sub. (1m) shall
21 submit, annually, or as requested by the department of justice, a progress report that
22 includes all of the following:

23 **(a)** For each law enforcement officer whose position is funded wholly or in part
24 by the grant, an activity report that includes proactive measures the officer has
25 taken to achieve the goals identified under sub. (2) in the grant application.

1 (b) Crime reporting information that compares rates of crime in the political
2 subdivision at the time it received a grant and at the end of the reporting period.

3 (c) Other information requested by the department that demonstrates the
4 efficacy of the grant in reducing crime or achieving other goals identified by the
5 political subdivision or set by the department.

6 **SECTION 15.** 165.986 (5) of the statutes is amended to read:

7 165.986 (5) ~~A city may receive a grant under sub. (1) for 3 consecutive years~~
8 ~~without submitting a new application each year.~~ For each year that a city political
9 subdivision receives a grant under sub. (1) (1m), the city political subdivision shall
10 provide matching funds of at least 25 percent of the amount of the grant.

11 **SECTION 16.** 165.986 (6) of the statutes is repealed.

12 **SECTION 17. Fiscal changes.**

13 (1) LAW ENFORCEMENT GRANTS. In the schedule under s. 20.005 (3) for the
14 appropriation to the department of justice under s. 20.455 (2) (bm), the dollar amount
15 for fiscal year 2021-22 is increased by \$2,500,000 for the purpose for which the
16 appropriation is made. In the schedule under s. 20.005 (3) for the appropriation to
17 the department of justice under s. 20.455 (2) (bm), the dollar amount for fiscal year
18 2022-23 is increased by \$2,500,000 for the purpose for which the appropriation is
19 made.

20 (2) UNIVERSITY OF WISCONSIN SYSTEM; GENERAL PROGRAM OPERATIONS. In the
21 schedule under s. 20.005 (3) for the appropriation to the Board of Regents of the
22 University of Wisconsin System under s. 20.285 (1) (a), the dollar amount for fiscal
23 year 2021-22 is increased by \$1,200,000 to increase funding for the purpose for
24 which the appropriation is made. In the schedule under s. 20.005 (3) for the
25 appropriation to the Board of Regents of the University of Wisconsin System under

1 s. 20.285 (1) (a), the dollar amount for fiscal year 2022-23 is increased by \$400,000
2 to increase funding for the purpose for which the appropriation is made.

3 (3) SPECIAL EDUCATION AID. In the schedule under s. 20.005 (3) for the
4 appropriation to the department of public instruction under s. 20.255 (2) (b), the
5 dollar amount for fiscal year 2021-22 is increased by \$4,725,000 to increase funding
6 for aids for special education under s. 115.88. In the schedule under s. 20.005 (3) for
7 the appropriation to the department of public instruction under s. 20.255 (2) (b), the
8 dollar amount for fiscal year 2022-23 is increased by \$1,575,000 to increase funding
9 for aids for special education under s. 115.88.

10 (END)