



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRBs0335/1  
EAW&CMH:emw

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 174**

January 25, 2022 - Offered by Representatives ANDRACA, BALDEH, BILLINGS, CABRERA, CONLEY, CONSIDINE, DRAKE, EMERSON, HAYWOOD, HEBL, HESSELBEIN, HONG, MCGUIRE, MOORE OMOKUNDE, NEUBAUER, OHNSTAD, ORTIZ-VELEZ, POPE, RIEMER, S. RODRIGUEZ, SHELTON, SNODGRASS, SPREITZER, SUBECK, VINING, VRUWINK and SHANKLAND.

1     **AN ACT** *to repeal* 20.455 (2) (cs) and 20.455 (2) (dm); *to renumber and amend*  
2           79.01 (2d) and 79.035 (5); *to repeal and recreate* 79.035 (5) (a) and 79.035 (5)  
3           (b); and *to create* 20.455 (2) (cs), 20.455 (2) (dm), 20.455 (2) (es), 20.455 (5) (dm),  
4           20.455 (5) (dn), 20.455 (5) (do), 79.01 (2d) (c), 79.01 (2d) (d), 79.035 (5) (b),  
5           165.925, 165.935, 165.97 and 969.15 of the statutes; **relating to:** an increase  
6           in county and municipal aid; various grant programs administered by the  
7           Department of Justice; court orders that prohibit a person from possessing a  
8           firearm under federal law; funding for crime victim and witness services; and  
9           making an appropriation.

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

10           **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
11           the following amounts for the purposes indicated:

|  |  |  |  | <b>2021-22</b> | <b>2022-23</b> |
|--|--|--|--|----------------|----------------|
|--|--|--|--|----------------|----------------|

1     **20.455 Justice, department of**

2     (2)    LAW ENFORCEMENT SERVICES

3     (cs)   Community policing and commu-

|   |                                |     |   |            |            |
|---|--------------------------------|-----|---|------------|------------|
| 4 | nity prosecution grant program | GPR | A | 10,000,000 | 10,000,000 |
|---|--------------------------------|-----|---|------------|------------|

|   |                                 |     |   |           |           |
|---|---------------------------------|-----|---|-----------|-----------|
| 5 | (dm) Violence prevention grants | GPR | A | 5,000,000 | 5,000,000 |
|---|---------------------------------|-----|---|-----------|-----------|

6     (es)   Pretrial release monitoring and

|   |                               |     |   |             |             |
|---|-------------------------------|-----|---|-------------|-------------|
| 7 | accountability; grant program | GPR | A | \$5,000,000 | \$5,000,000 |
|---|-------------------------------|-----|---|-------------|-------------|

8     (5)    VICTIMS AND WITNESSES

|   |                                      |     |   |         |         |
|---|--------------------------------------|-----|---|---------|---------|
| 9 | (dm) Address confidentiality program | GPR | A | 180,200 | 180,100 |
|---|--------------------------------------|-----|---|---------|---------|

10    (do)   Crime victim protective services

|    |               |     |   |           |           |
|----|---------------|-----|---|-----------|-----------|
| 11 | grant program | GPR | B | 2,500,000 | 2,500,000 |
|----|---------------|-----|---|-----------|-----------|

12           **SECTION 2.** 20.455 (2) (cs) of the statutes is created to read:

13           20.455 (2) (cs) *Community policing and community prosecution grant program.*

14    The amounts in the schedule for the community policing and community prosecution  
15    grant program under 2021 Wisconsin Act .... (this act), section 21 (2).

16           **SECTION 3.** 20.455 (2) (cs) of the statutes, as created by 2021 Wisconsin Act ...

17    (this act), is repealed.

18           **SECTION 4.** 20.455 (2) (dm) of the statutes is created to read:

19           20.455 (2) (dm) *Violence prevention grants.* The amounts in the schedule for  
20    the violence prevention grant program under 2021 Wisconsin Act .... (this act),  
21    section 21 (3).

22           **SECTION 5.** 20.455 (2) (dm) of the statutes, as created by 2021 Wisconsin Act

23    .... (this act), is repealed.

1           **SECTION 6.** 20.455 (2) (es) of the statutes is created to read:

2           20.455 **(2)** (es) *Pretrial release monitoring and accountability; grant program.*

3           The amounts in the schedule for the pretrial release monitoring and accountability  
4           grant program under s. 165.97.

5           **SECTION 7.** 20.455 (5) (dm) of the statutes is created to read:

6           20.455 **(5)** (dm) *Address confidentiality program.* The amounts in the schedule  
7           for the address confidentiality program under s. 165.68.

8           **SECTION 8.** 20.455 (5) (dn) of the statutes is created to read:

9           20.455 **(5)** (dn) *Victim and witness services.* A sum sufficient to provide grants  
10          to law enforcement agencies under s. 165.935.

11          **SECTION 9.** 20.455 (5) (do) of the statutes is created to read:

12          20.455 **(5)** (do) *Crime victim protective services grant program.* Biennially, the  
13          amounts in the schedule to provide grants to law enforcement agencies and  
14          prosecutorial units under s. 165.925.

15          **SECTION 10.** 79.01 (2d) of the statutes is renumbered 79.01 (2d) (intro.) and  
16          amended to read:

17          79.01 **(2d)** (intro.) There is established an account in the general fund entitled  
18          the "County and Municipal Aid Account." The total amount to be distributed in 2011  
19          to counties and municipalities from the county and municipal aid account is as  
20          follows:

21          (a) In 2011, \$824,825,715 and the total amount to be distributed to counties and  
22          municipalities in.

23          (b) Beginning in 2012, and in each year thereafter, from the county and  
24          municipal aid account is and ending in 2021, \$748,075,715.

25          **SECTION 11.** 79.01 (2d) (c) of the statutes is created to read:

1           79.01 **(2d)** (c) In 2022, \$763,137,230.

2           **SECTION 12.** 79.01 (2d) (d) of the statutes is created to read:

3           79.01 **(2d)** (d) In 2023, and in each year thereafter, \$778,499,974.

4           **SECTION 13.** 79.035 (5) of the statutes is renumbered 79.035 (5) (a) and  
5 amended to read:

6           79.035 **(5)** (a) Except as provided in subs. (6), (7), and (8), for the ~~distribution~~  
7 distributions beginning in 2013 and subsequent years ending in 2021, each county  
8 and municipality shall receive a payment under this section that is equal to the  
9 amount of the payment determined for the county or municipality under this section  
10 for 2012.

11           **SECTION 14.** 79.035 (5) (a) of the statutes, as affected by 2019 Wisconsin Act 19,  
12 section 18, and 2021 Wisconsin Act ... (this act), is repealed and recreated to read:

13           79.035 **(5)** (a) Except as provided in subs. (7) and (8), for the distributions  
14 beginning in 2013 and ending in 2021, each county and municipality shall receive  
15 a payment under this section that is equal to the amount of the payment determined  
16 for the county or municipality under this section for 2012.

17           **SECTION 15.** 79.035 (5) (b) of the statutes is created to read:

18           79.035 **(5)** (b) 1. Except as provided in subs. (6), (7), and (8), for the distribution  
19 in 2022, each county and municipality shall receive a payment under this section  
20 that is equal to the amount of the payment determined for the county or municipality  
21 under this section for 2021, increased by 2 percent.

22           2. Except as provided in subs. (6), (7), and (8), for the distribution in 2023 and  
23 subsequent years, each county and municipality shall receive a payment under this  
24 section that is equal to the amount of the payment determined for the county or  
25 municipality under this section for 2022, increased by 2 percent.

1           **SECTION 16.** 79.035 (5) (b) of the statutes, as affected by 2021 Wisconsin Act ...  
2 (this act), is repealed and recreated to read:

3           79.035 (5) (b) 1. Except as provided in subs. (7) and (8), for the distribution in  
4 2022, each county and municipality shall receive a payment under this section that  
5 is equal to the amount of the payment determined for the county or municipality  
6 under this section for 2021, increased by 2 percent.

7           2. Except as provided in subs. (7) and (8), for the distribution in 2023 and  
8 subsequent years, each county and municipality shall receive a payment under this  
9 section that is equal to the amount of the payment determined for the county or  
10 municipality under this section for 2022, increased by 2 percent.

11           **SECTION 17.** 165.925 of the statutes is created to read:

12           **165.925 Crime victim protective services grant program. (1)** In this  
13 section:

14           (a) “Crime victim” means a person against whom a crime has been committed.

15           (b) “Law enforcement agency” has the meaning given in s. 165.85 (2) (bv).

16           (c) “Prosecutorial unit” means a prosecutorial unit described in s. 978.01 (1).

17           **(2)** From the appropriation under s. 20.455 (5) (do), the department of justice  
18 shall award grants to law enforcement agencies and prosecutorial units to fund  
19 crime victim protection services, including temporary housing for crime victims.

20           **(3)** The department of justice shall develop criteria that, notwithstanding s.  
21 227.10 (1), need not be promulgated as rules under ch. 227 for use in awarding grants  
22 under sub. (2).

23           **SECTION 18.** 165.935 of the statutes is created to read:

24           **165.935 Local law enforcement services to victims and witnesses. (1)**

25           From the appropriation under s. 20.455 (5) (dn), the department of justice shall

1 award grants to law enforcement agencies on a competitive basis to provide on-site  
2 services to crime victims and witnesses between the time a crime is reported until  
3 someone is charged for the crime.

4 (2) A law enforcement agency may apply for a grant under sub. (1) by  
5 submitting a plan to the department of justice for the expenditure of the grant  
6 moneys awarded. To be eligible for a grant, the law enforcement agency's plan must  
7 create the position of a victim and witness services coordinator who is available at  
8 the law enforcement agency and who will ensure that victims and witnesses receive  
9 the rights and services to which they are entitled under ch. 950 between the time a  
10 crime is reported and criminal charges are filed against an alleged perpetrator of the  
11 crime.

12 (3) A law enforcement agency that is awarded a grant under sub. (1) shall  
13 provide information to the department of justice regarding the agency's  
14 implementation of the plan, including the number of victims and witnesses who are  
15 provided services and the types of services they receive. The department may  
16 request any data regarding a plan funded under this section that are necessary to  
17 evaluate the program and prepare the reports under subs. (4) and (5).

18 (4) The department of justice shall annually analyze the data submitted under  
19 sub. (3) for the previous year and prepare a progress report that evaluates the  
20 effectiveness of the program. The department shall make the report available to the  
21 public.

22 (5) Beginning on the date 5 years after the effective date of this subsection ...  
23 [LRB inserts date], the department of justice shall prepare a comprehensive report  
24 that analyzes all data submitted under sub. (3) and shall submit the report to the  
25 legislature under s. 13.172 (2).

1           **(6)** The department of justice may not award any grant under this section after  
2 the date that is 5 years after the effective date of this subsection .... [LRB inserts  
3 date].

4           **SECTION 19.** 165.97 of the statutes is created to read:

5           **165.97 Pretrial release monitoring and accountability; grant program.**

6 The department of justice shall award grants from the appropriation under s. 20.455  
7 (2) (es) to counties for pretrial release monitoring and accountability programs.  
8 Programs funded under this section must use evidence-based practices to provide  
9 services for individuals released from custody under ch. 969, and may include  
10 location monitoring, mental health treatment, substance use disorder treatment,  
11 and sobriety monitoring.

12           **SECTION 20.** 969.15 of the statutes is created to read:

13           **969.15 Enforcement assistance for court orders that render persons**  
14 **ineligible to possess a firearm under federal law.** If a person who is released  
15 on bail or bond under this chapter is subject to a court order described in 18 USC 922  
16 (g) (8), all of the following shall occur:

17           **(1)** Within one business day of the person's release, the clerk shall send a copy  
18 of the court order to the sheriff with jurisdiction over the person's residence.

19           **(2)** No later than 24 hours after receiving the copy of the court order under sub.  
20 (1), the sheriff shall enter the court order, including modifying or cancelling a  
21 previous court order per the current court order, into the transaction information for  
22 management of enforcement system. The sheriff shall ensure that the information  
23 on the existence and status of any court order under this section is available to other  
24 law enforcement agencies through a verification system. The information does not  
25 need to be maintained after the order is no longer in effect.

1           **(3)** A law enforcement agency or a clerk may use electronic transmission to  
2 facilitate the exchange of information under this section. Any person who uses  
3 electronic transmission shall ensure that the electronic transmission does not allow  
4 unauthorized disclosure of the information transmitted.

5           **SECTION 21. Nonstatutory provisions.**

6           **(1) CRIME VICTIM SERVICES; ONETIME FUNDING.** Notwithstanding s. 16.42 (1) (e),  
7 in submitting information under s. 16.42 for the 2023-25 biennial budget bill, the  
8 department of justice shall submit information concerning the appropriation under  
9 s. 20.455 (5) (a) as though the increase in the dollar amount of that appropriation by  
10 SECTION 22 (10) of this act did not take effect.

11           **(2) COMMUNITY POLICING AND COMMUNITY PROSECUTION GRANT PROGRAM.** From the  
12 appropriation under s. 20.455 (2) (cs), the department of justice shall provide grants  
13 in the 2021-23 fiscal biennium for community policing and community prosecution.  
14 A grant awarded under this subsection must meet all of the following requirements:

15           **(a)** The grant must be awarded to a law enforcement agency and the city, town,  
16 or village that the law enforcement agency serves, as co-recipients.

17           **(b)** The city, town, or village must have a crime rate that is higher than the  
18 average crime rate in this state for a city, town, or village of its size.

19           **(c)** The grant money must be used for programs in neighborhoods with the  
20 highest crime rates within the city, town, or village.

21           **(d)** The grant money must be used for designing and implementing a  
22 place-based, community-oriented crime reduction strategy in a targeted  
23 neighborhood as a component of a broader neighborhood revitalization plan to  
24 address chronic crime issues within the target neighborhood.



1           (3) VIOLENCE PREVENTION GRANTS. The department of justice shall establish a  
2 program to award grants from the appropriation under s. 20.455 (2) (dm) in the  
3 2021-23 fiscal biennium for violence prevention programs. Grant applications are  
4 due no later than June 30 of each fiscal year. The department of justice shall consult  
5 with the department of health services to determine grant awards under this section.

6           **SECTION 22. Fiscal changes.**

7           (1) SPECIAL EDUCATION AID. In the schedule under s. 20.005 (3) for the  
8 appropriation to the department of public instruction under s. 20.255 (2) (b), the  
9 dollar amount is increased by \$3,100,000 for the 2021-22 fiscal year to increase  
10 funding for aids for special education under s. 115.88. In the schedule under s. 20.005  
11 (3) for the appropriation to the department of public instruction under s. 20.255 (2)  
12 (b), the dollar amount is increased by \$3,100,000 for the 2022-23 fiscal year to  
13 increase funding for aids for special education under s. 115.88.

14           (2) UW SYSTEM, GENERAL PROGRAM OPERATIONS. In the schedule under s. 20.005  
15 (3) for the appropriation to the Board of Regents of the University of Wisconsin  
16 System under s. 20.285 (1) (a), the dollar amount is increased by \$800,000 for the  
17 2021-22 fiscal year to increase funding for the purpose for which the appropriation  
18 is made. In the schedule under s. 20.005 (3) for the appropriation to the Board of  
19 Regents of the University of Wisconsin System under s. 20.285 (1) (a), the dollar  
20 amount is increased by \$800,000 for the 2022-23 fiscal year to increase funding for  
21 the purpose for which the appropriation is made.

22           (3) SPECIAL EDUCATION AID. In the schedule under s. 20.005 (3) for the  
23 appropriation to the department of public instruction under s. 20.255 (2) (b), the  
24 dollar amount is increased by \$114,000 for the 2021-22 fiscal year to increase  
25 funding for aids for special education under s. 115.88. In the schedule under s. 20.005

1 (3) for the appropriation to the department of public instruction under s. 20.255 (2)  
2 (b), the dollar amount is increased by \$114,000 for the 2022-23 fiscal year to increase  
3 funding for aids for special education under s. 115.88.

4 (4) UW SYSTEM, GENERAL PROGRAM OPERATIONS. In the schedule under s. 20.005  
5 (3) for the appropriation to the Board of Regents of the University of Wisconsin  
6 System under s. 20.285 (1) (a), the dollar amount is increased by \$30,000 for the  
7 2021-22 fiscal year to increase funding for the purpose for which the appropriation  
8 is made. In the schedule under s. 20.005 (3) for the appropriation to the Board of  
9 Regents of the University of Wisconsin System under s. 20.285 (1) (a), the dollar  
10 amount is increased by \$30,000 for the 2022-23 fiscal year to increase funding for  
11 the purpose for which the appropriation is made.

12 (5) SPECIAL EDUCATION AID. In the schedule under s. 20.005 (3) for the  
13 appropriation to the department of public instruction under s. 20.255 (2) (b), the  
14 dollar amount is increased by \$6,300,000 for the 2021-22 fiscal year to increase  
15 funding for aids for special education under s. 115.88. In the schedule under s. 20.005  
16 (3) for the appropriation to the department of public instruction under s. 20.255 (2)  
17 (b), the dollar amount is increased by \$6,300,000 for the 2022-23 fiscal year to  
18 increase funding for aids for special education under s. 115.88.

19 (6) UW SYSTEM; GENERAL PROGRAM OPERATIONS. In the schedule under s. 20.005  
20 (3) for the appropriation to the Board of Regents of the University of Wisconsin  
21 System under s. 20.285 (1) (a), the dollar amount is increased by \$1,600,000 for the  
22 2021-22 fiscal year to increase funding for the purpose for which the appropriation  
23 is made. In the schedule under s. 20.005 (3) for the appropriation to the Board of  
24 Regents of the University of Wisconsin System under s. 20.285 (1) (a), the dollar

1 amount is increased by \$1,600,000 for the 2022-23 fiscal year to increase funding for  
2 the purpose for which the appropriation is made.

3 (7) 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 is increased by \$3,100,000 for the 2021-22 fiscal year to increase  
6 funding for aids for special education under s. 115.88. In the schedule under s. 20.005  
7 (3) for the appropriation to the department of public instruction under s. 20.255 (2)  
8 (b), the dollar amount is increased by \$3,100,000 for the 2022-23 fiscal year to  
9 increase funding for aids for special education under s. 115.88.

10 (8) UW SYSTEM, GENERAL PROGRAM OPERATIONS. In the schedule under s. 20.005  
11 (3) for the appropriation to the Board of Regents of the University of Wisconsin  
12 System under s. 20.285 (1) (a), the dollar amount is increased by \$800,000 for the  
13 2021-22 fiscal year to increase funding for the purpose for which the appropriation  
14 is made. In the schedule under s. 20.005 (3) for the appropriation to the Board of  
15 Regents of the University of Wisconsin System under s. 20.285 (1) (a), the dollar  
16 amount is increased by \$800,000 for the 2022-23 fiscal year to increase funding for  
17 the purpose for which the appropriation is made.

18 (9) REIMBURSEMENT TO COUNTIES FOR VICTIM-WITNESS SERVICES. In the schedule  
19 under s. 20.005 (3) for the appropriation to the department of justice under s. 20.455  
20 (5) (f), the dollar amount for fiscal year 2021-22 is increased by \$3,250,000 for the  
21 purposes for which the appropriation is made. In the schedule under s. 20.005 (3)  
22 for the appropriation to the department of justice under s. 20.455 (5) (f), the dollar  
23 amount for fiscal year 2022-23 is increased by \$3,250,000 for the purposes for which  
24 the appropriation is made.

1           (10) CRIME VICTIM SERVICES. In the schedule under s. 20.005 (3) for the  
2 appropriation to the department of justice under s. 20.455 (5) (a), the dollar amount  
3 for fiscal year 2021-22 is increased by \$5,000,000 to fund crime victim service  
4 programs. In the schedule under s. 20.005 (3) for the appropriation to the  
5 department of justice under s. 20.455 (5) (a), the dollar amount for fiscal year  
6 2022-23 is increased by \$5,000,000 to fund crime victim service programs.

7           (11) SPECIAL EDUCATION AID. In the schedule under s. 20.005 (3) for the  
8 appropriation to the department of public instruction under s. 20.255 (2) (b), the  
9 dollar amount for fiscal year 2021-22 is increased by \$9,922,500 to increase funding  
10 for aids for special education under s. 115.88. In the schedule under s. 20.005 (3) for  
11 the appropriation to the department of public instruction under s. 20.255 (2) (b), the  
12 dollar amount for fiscal year 2022-23 is increased by \$9,922,500 to increase funding  
13 for aids for special education under s. 115.88.

14           (12) UNIVERSITY OF WISCONSIN SYSTEM; GENERAL PROGRAM OPERATIONS. In the  
15 schedule under s. 20.005 (3) for the appropriation to the Board of Regents of the  
16 University of Wisconsin System under s. 20.285 (1) (a), the dollar amount for fiscal  
17 year 2021-22 is increased by \$2,520,000 to increase funding for the purpose for  
18 which the appropriation is made. In the schedule under s. 20.005 (3) for the  
19 appropriation to the Board of Regents of the University of Wisconsin System under  
20 s. 20.285 (1) (a), the dollar amount for fiscal year 2022-23 is increased by \$2,520,000  
21 to increase funding for the purpose for which the appropriation is made.

### 22           **SECTION 23. Initial applicability.**

23           (1) DOMESTIC VIOLENCE PROTECTION ORDERS. The treatment of s. 969.15 first  
24 applies to releases that occur on the effective date of this subsection.

