



State of Wisconsin
2021 - 2022 LEGISLATURE

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**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 564**

October 25, 2021 - Offered by Senator WANGGAARD.

1 **AN ACT** *to create* 301.323 of the statutes; **relating to:** vendors at state
2 correctional institutions.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Corrections to contract with two or three vendors to provide hobby, religious, and other personal property items for sale to inmates in state correctional institutions. Under the bill, DOC must allow an inmate, or a third party on behalf of an inmate, to purchase the items and must give inmates equal access to all vendors that DOC contracts with for this purpose. The bill also specifies that DOC must ensure that at least one of the vendors offers a location in the city of Milwaukee where a third party may, through a person-to-person transaction, place an order for items to be delivered to an inmate.

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

3 **SECTION 1.** 301.323 of the statutes is created to read:
4 **301.323 Vendors of personal property items.** (1) The department shall
5 permit an inmate in a state correctional institution, or a 3rd party on behalf of an

1 inmate, to purchase department-approved hobby, religious, and other personal
2 property items from a vendor that is contracted with under sub. (2). The department
3 shall ensure that inmates have equal access to the approved items offered by each
4 vendor, and the department may not give any preference to any contracted vendor.

5 (2) Through a competitive bid for contractual services under s. 16.75, the
6 department shall contract with not fewer than 3 vendors to provide
7 department-approved hobby, religious, and other personal property items for
8 purchase by an inmate in a state correctional institution or by a 3rd party on behalf
9 of an inmate. The department may contract with 2 vendors if it receives fewer than
10 3 bids satisfying the bid criteria. All contract specifications for contracts awarded
11 under this subsection, including those specified in sub. (3), shall be included in a
12 single solicitation for bids.

13 (3) Each vendor that is contracted with under sub. (2) shall allow for an inmate,
14 or a 3rd party on behalf of an inmate, to purchase the approved items from a catalog
15 and through an online Internet site. The department shall ensure that at least one
16 of the vendors contracted with under sub. (2) offers a location in a 1st class city where
17 a 3rd party may, through a person-to-person transaction using cash or a credit card,
18 place an order for items to be delivered to an inmate.

19 (4) The department shall ensure that each vendor that receives a contract
20 under sub. (2) offers substantially all of the types of items that are approved by the
21 department.

22 **SECTION 2. Nonstatutory provisions.**

23 (1) The department of corrections shall complete all activities that it
24 determines are necessary to implement s. 301.323 no later than 90 days after the
25 effective date of this subsection.

1 **SECTION 3. Initial applicability.**

2 (1) The treatment of s. 301.323 (2) first applies to a solicitation for bids issued
3 on the effective date of this subsection, except that if the department of corrections
4 has a contract in effect on the effective date of this subsection with a vendor who
5 provides contractual services substantially similar to those specified in s. 301.323
6 (2), the department may count that vendor toward the 3-vendor requirement under
7 s. 301.323 (2).

8 (END)