



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5038/1
MJW:cdc

2023 SENATE BILL 844

December 26, 2023 - Introduced by Senators TAYLOR and LARSON, cosponsored by Representatives CLANCY, MADISON, BALDEH, J. ANDERSON, CONLEY, EMERSON, HAYWOOD, MOORE OMOKUNDE, PALMERI, SHELTON and STUBBS. Referred to Committee on Judiciary and Public Safety.

AUTHORS SUBJECT TO CHANGE

- 1 **AN ACT to create** 302.47 of the statutes; **relating to:** access to prisons and jails
2 for oversight purposes.

Analysis by the Legislative Reference Bureau

This bill provides that any legislator who is a member of a standing committee of the legislature with jurisdiction over matters related to the Department of Corrections must be provided immediate access, upon request, to a tour of any state correctional institution that includes the residential areas, prison cells, meal areas, and discussions with inmates.

The bill also provides that any employee of a political subdivision who, in the course of his or her employment, is responsible for the oversight of a county jail, must be provided immediate access, upon request, to a tour of any county jail under his or her oversight or any county jail that has at least one person in custody who is a permanent resident of the geographic region that the employee's position oversees that includes the residential areas, prison cells, meal areas, and discussions with inmates.

For purposes of the bill, "immediate access" means access with less than 24 hours notice. Access may be denied only if it is between the hours of 9 p.m. and 6 a.m. or if the requester has already had 12 access requests fulfilled in that calendar year. A person who is denied immediate access between 9 p.m. and 6 a.m. must be provided access between 6 a.m. and 9 p.m., and a person who is denied immediate access because he or she has already had 12 requests fulfilled in that calendar year must be provided access within 72 hours.

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

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

1 **SECTION 1.** 302.47 of the statutes is created to read:

2 **302.47 Access to prisons and jails for oversight purposes.** (1) In this
3 section:

4 (a) “Immediate access” means access with less than 24 hours notice.

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

6 **(2)** Except as provided in sub. (4), any legislator who is a member of a standing
7 committee of the legislature with jurisdiction over matters related to the department
8 shall be provided immediate access, upon request, to a tour of any state correctional
9 institution that includes the residential areas, prison cells, meal areas, and
10 discussions with prisoners.

11 **(3)** Except as provided in sub. (4), any employee of a political subdivision who,
12 in the course of his or her employment, is responsible for the oversight of a county
13 jail, shall be provided immediate access, upon request, to a tour of any county jail
14 under his or her oversight or any county jail that has at least one person in custody
15 who is a permanent resident of the geographic region that the employee’s position
16 oversees that includes the residential areas, prison cells, meal areas, and discussions
17 with prisoners.

18 **(4)** A county jail or state correctional institution may deny a legislator under
19 sub. (2) or an employee under sub. (3) access if any of the following applies:

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1 (a) The visit is requested between the hours of 9 p.m. and 6 a.m. If immediate
2 access is denied under this paragraph, access shall be provided between the hours
3 of 6 a.m. and 9 p.m.

4 (b) The legislator or employee has already had 12 requests under sub. (2) or (3)
5 fulfilled in that calendar year. If immediate access is denied under this paragraph,
6 access shall be provided within 72 hours of when the access request was made.

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(END)