



2021 ASSEMBLY BILL 565

September 16, 2021 - Introduced by Representatives SCHRAA, CALLAHAN, MOORE OMOKUNDE, BALDEH, BOWEN, CABRERA, DALLMAN, DITTRICH, DRAKE, GOYKE, GUNDRUM, HAYWOOD, HORLACHER, KNODL, L. MYERS, ROZAR, SINICKI, SPIROS, SPREITZER, TITTL, VINING and STUBBS, cosponsored by Senators WANGGAARD, FELZKOWSKI, JOHNSON, COWLES, DARLING, JAGLER, LARSON, MARKLEIN, L. TAYLOR and BALLWEG. Referred to Committee on State Affairs.

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 no fewer than 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 storefront in the city of Milwaukee where a third party may place an order for items to be delivered to an inmate.

For further information see the state 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:

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

ASSEMBLY BILL 565**SECTION 1**

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 The department may not limit the items offered by a vendor based on the availability
6 of the same or substantially similar items directly or indirectly through a canteen or
7 other purchase option.

8 (2) Through a competitive bid for contractual services under s. 16.75, the
9 department shall contract with not fewer than 3 vendors to provide
10 department-approved hobby, religious, and other personal property items for
11 purchase by an inmate in a state correctional institution or by a 3rd party on behalf
12 of an inmate. Each vendor that is contracted with under this subsection shall allow
13 for an inmate, or a 3rd party on behalf of an inmate, to purchase the approved items
14 from a catalogue and through an online Internet site. The department shall ensure
15 that at least one of the vendors allows a 3rd party, on behalf of an inmate, to place
16 in-person orders for approved personal, hobby, and religious items at a storefront in
17 a first-class city.

18 **SECTION 2. Nonstatutory provisions.**

19 (1) The department of corrections shall complete all activities that it
20 determines are necessary to implement s. 301.323 no later than 30 days after the
21 effective date of this subsection.

22 (END)