



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-4687/1

MJW:cdc

## 2023 ASSEMBLY BILL 806

December 8, 2023 - Introduced by Representatives CLANCY, MADISON, BALDEH, J. ANDERSON, CONLEY, EMERSON, HAYWOOD, MOORE OMOKUNDE, PALMERI, SHELTON and STUBBS, cosponsored by Senators TAYLOR and LARSON. Referred to Committee on Corrections.

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

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### *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

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access because he or she has already had 12 requests fulfilled in that calendar year must be provided access within 72 hours.

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

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

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

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

(a) "Immediate access" means access with less than 24 hours notice.

(b) "Political subdivision" means a county, city, village, or town.

(2) Except as provided in sub. (4), any legislator who is a member of a standing committee of the legislature with jurisdiction over matters related to the department shall 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 prisoners.

(3) Except as provided in sub. (4), any employee of a political subdivision who, in the course of his or her employment, is responsible for the oversight of a county jail, shall 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 prisoners.

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

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

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

**(END)**