

## State of Misconsin 2021 - 2022 LEGISLATURE

LRB-0227/1 CMH:wlj

## **2021 BILL**

AN ACT to amend 980.08 (4) (dm) 1. (intro.) of the statutes; relating to:

composition of temporary committee identifying residential options for a

sexually violent person being placed on supervised release.

## Analysis by the Legislative Reference Bureau

This bill is explained in the Notes provided by the Joint Legislative Council in the bill.

 ${\it Joint Legislative Council\ prefatory\ note:}\ This\ bill\ was\ prepared\ for\ the\ Joint\ Legislative\ Council's\ Special\ Committee\ on\ State-Tribal\ Relations.$ 

Under current law, a person who has been found to be a sexually violent person may be involuntarily committed to the Department of Health Services for control, care, and treatment. If a person is committed and placed in institutional care, the person may periodically petition the court for supervised release to the community. If a court approves the petition, the court must order the person's county of residence to prepare a report that identifies one appropriate residence for the person.

Under current law, the county creates a temporary committee to prepare the report. Members of the temporary committee are the county department of community programs, a representative from DHS, a local probation or parole officer, the county corporation counsel, and a land use planning official. This bill adds to the membership of the temporary committee a representative of each federally recognized Indian tribe or band located in that county.

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

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BILL SECTION 1

**Section 1.** 980.08 (4) (dm) 1. (intro.) of the statutes is amended to read:

980.08 (4) (dm) 1. (intro.) If the court finds that all of the criteria in par. (cg) are met, the court shall order the county of the person's residence, as determined by the department of health services under s. 980.105, to prepare a report. The county shall create a temporary committee to prepare the report for the county. The committee shall consist of the county department under s. 51.42, a representative of the department of health services, a local probation or parole officer, the county corporation counsel or his or her designee, and a representative of the county that is responsible for land use planning or the department of the county that is responsible for land information, and, if there is a federally recognized Indian tribe or band located in the county, a representative of each such tribe or band. In the report, the county shall identify an appropriate residential option in that county while the person is on supervised release. In counties with a population of 750,000 or more, the committee shall select a residence in the person's city, village, or town of residence, as determined by the department of health services under s. 980.105 (2m). The report shall demonstrate that the county has contacted the landlord for that residential option and that the landlord has committed to enter into a lease. The county shall do all of the following when identifying an appropriate residential option:

## **SECTION 2. Initial applicability.**

(1) This act first applies to court orders under s. 980.08 (4) (dm) 1. made on the effective date of this subsection.

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