State of Wisconsin

2003 Assembly Bill 53

Date of enactment: **May 19, 2003**
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2003 WISCONSIN ACT 28

AN ACT *to create* 302.373 of the statutes; **relating to:** prisoner reimbursement to a municipality.

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

SECTION 1. 302.373 of the statutes is created to read:

302.373 Prisoner reimbursement to municipality.

(1) In this section:

(a) "Jail" means a county jail, a rehabilitation facility established by s. 59.53 (8), or a county house of correction under s. 303.16.

(b) "Prisoner" means a person who is incarcerated in a jail by court order under s. 800.095 (4) (b) 1.

(2) (a) Except as provided in par. (b), a city, village, or town may seek reimbursement from the prisoner for the amount paid to a county under s. 800.095 (6) for the expenses incurred by the county to incarcerate the prisoner.

(b) This section applies to expenses incurred after the effective date of this paragraph .... [revisor inserts date].

(3) Within 12 months after the release of a prisoner from jail, the city, village, or town shall commence a civil action in circuit court to obtain a judgment for the amount paid to the county under sub. (2) or be barred.

(4) Before entering a judgment in an action under sub. (3) for a city, village, or town, the court shall consider any legal obligations of the defendant for support or maintenance under ch. 767 and any moral obligation of the defendant to support dependents and may reduce the amount of the judgment entered for the city, village, or town based on those obligations.