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# Wisconsin Legislative Council

## ACT MEMO

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### 2021 Wisconsin Act 264 [2021 Senate Bill 564]

### Vendors at State Correctional Institutions

2021 Wisconsin Act 264 requires the Department of Corrections (DOC) to allow an inmate in a state correctional institution, or a third-party on behalf of an inmate, to purchase DOC-approved hobby, religious, and other personal items through a contracted vendor. The act requires DOC to ensure that inmates have equal access to the approved items offered by each vendor, and prohibits the department from giving preference to any contracted vendor.

Under the act, DOC must contract, through a competitive bid process under the state procurement statute, with at least three vendors to provide department-approved hobby, religious, and other personal items for purchase by an inmate in a state correctional institution or by a third party on behalf of an inmate. DOC may contract with two vendors if it receives fewer than three bids that satisfy the bid criteria. Each vendor must allow sales from a catalog and through the internet, and each vendor must offer substantially all of the types of items that are approved by the department.

The act provides that DOC must complete all activities it determines are necessary to implement the act's provisions within 90 days of the act's effective date. The provision requiring DOC to contract with multiple vendors through the competitive bidding process takes effect on the bill's effective date; however, the act specifies that DOC may count a vendor toward the three-vendor requirement if it has a contract in place with a vendor on the bill's effective date that provides contractual services that are substantially similar to those specified in the competitive bid process.

**Effective date:** April 17, 2022

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