

# State of Wisconsin



2013 Assembly Bill 33

Date of enactment:  
Date of publication\*:

## 2013 WISCONSIN ACT

AN ACT to amend 302.372 (2) (d) and 302.372 (6) (a); and to create 302.372 (6) (am) and 302.372 (7) of the statutes; relating to: extending the time period for counties to seek reimbursement from prisoners for expenses associated with confinement in jail.

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

**SECTION 1.** 302.372 (2) (d) of the statutes is amended to read:

302.372 (2) (d) The jailer or the county shall choose, for each prisoner, whether to seek reimbursement under this section or as otherwise provided in chs. 301 to 303, but may not collect for the same expenses twice. The jailer or the county may choose to seek reimbursement for the expenses under sub. (2) (a) using the method under sub. (5), using the method under sub. (6), or certifying the expenses as a debt pursuant to s. 71.935 (2) under sub. (7), or a combination of both methods, but may not seek reimbursement for the same expenses twice.

**SECTION 2.** 302.372 (6) (a) of the statutes is amended to read:

302.372 (6) (a) ~~Within~~ Except as provided in par. (am) or sub. (7), within 12 months after the release of a prisoner from jail, the county where the jail is located shall commence a civil action in circuit court to obtain a judgment for the expenses under sub. (2) (a) or be barred. The jailer shall provide any assistance that the county requests related to an action under this subsection.

**SECTION 2m.** 302.372 (6) (am) of the statutes is created to read:

302.372 (6) (am) Except as provided in sub. (7), within 24 months after the release of a prisoner from jail, the county where the jail is located shall commence a civil action in circuit court to obtain a judgment for the medical expenses associated with the prisoner under sub. (2) (a) or be barred. The jailer shall provide any assistance that the county requests related to an action under this subsection.

**SECTION 3.** 302.372 (7) of the statutes is created to read:

302.372 (7) DEBT CERTIFICATION TO OBTAIN REIMBURSEMENT. (a) Except as provided in par. (b), the county where the jail is located may obtain reimbursement by proceeding under s. 71.935 and certifying as a debt pursuant to s. 71.935 (2), within 12 months after the release of a prisoner from jail, the amount of expenses incurred by the county under sub. (2) (a). Any money obtained as the result of an action commenced under this subsection shall be deposited in the county treasury.

(b) The county where the jail is located may obtain reimbursement by proceeding under s. 71.935 and certifying as a debt pursuant to s. 71.935 (2), within 24 months after the release of a prisoner from jail, the amount of medical expenses associated with the prisoner and incurred by the county under sub. (2) (a). Any money

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

obtained as the result of an action commenced under this subsection shall be deposited in the county treasury.

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