



2023 ASSEMBLY BILL 797

December 8, 2023 - Introduced by Representatives STUBBS, MADISON, CONSIDINE, MOORE OMOKUNDE, CONLEY, JOERS, CLANCY, OHNSTAD, JACOBSON, SHELTON, EMERSON, J. ANDERSON, PALMERI, SUBECK, ANDRACA, SINICKI and HAYWOOD, cosponsored by Senators L. JOHNSON, LARSON and HESSELBEIN. Referred to Committee on Corrections.

AUTHORS SUBJECT TO CHANGE

- 1 **AN ACT to create** 302.073 and 302.074 of the statutes; **relating to:** personal
2 hygiene products for inmates of state correctional institutions and county jails
3 and houses of correction and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Corrections to provide all of the following personal hygiene products in each state correctional institution commissary:

1. At no more than 125 percent of the sales price of the product at the highest-grossing retail chain in the state, at least two varieties of the following personal hygiene products: deodorant, antiperspirant, shampoo, hair conditioner, liquid body wash, bar soap, body lotion, face wash, facial lotion, toothpaste, toothbrush, dental floss, razor, shaving cream, sunscreen, comb, hairbrush, and cleansing wipes.

2. At no more than 100 percent of the sales price of the product at the highest-grossing retail chain in the state, at least two varieties of the following culturally sensitive personal hygiene products: shampoo, conditioner, natural hair oil, and shaving cream that are appropriate for types 2, 3, and 4 hair, bar soap, and cocoa-butter-based body lotion.

The bill also requires DOC to provide each inmate with a monthly personal hygiene stipend of \$25 to purchase personal hygiene products from the commissary. The bill provides \$6,450,000 to DOC in each year of the 2023-25 biennium to provide personal hygiene stipends.

The bill also requires sheriffs to provide the same personal hygiene products in the commissaries of county jails and houses of correction at the prices established by

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DOC for those products in state correctional institutions and requires sheriffs to provide each inmate with a monthly personal hygiene stipend of \$25 to purchase personal hygiene products from the commissary.

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

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

1 **SECTION 1.** 302.073 of the statutes is created to read:

2 **302.073 State correctional institution inmate personal hygiene**
3 **products. (1)** In this section:

4 (a) “Benchmark retailer” means the retail chain in this state that has at least
5 one physical store in the state and has the highest annual gross receipts of any retail
6 chain in the state.

7 (b) “Sales price” has the meaning given in s. 77.51 (15b).

8 **(2)** The department shall ensure that each state correctional institution has
9 a commissary that provides all of the following personal hygiene products for
10 acquisition by inmates:

11 (a) To be sold at all state correctional facilities for no more than 125 percent of
12 the sales price of the same product at the benchmark retailer, at least 2 varieties of
13 all of the following products:

14 1. Deodorant.

15 2. Antiperspirant.

16 3. Shampoo.

17 4. Hair conditioner.

18 5. Liquid body wash.

19 6. Bar soap.

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- 1 7. Body lotion.
- 2 8. Face wash.
- 3 9. Facial lotion.
- 4 10. Toothpaste.
- 5 11. Toothbrush.
- 6 12. Dental floss.
- 7 13. Razor.
- 8 14. Shaving cream.
- 9 15. Sunscreen.
- 10 16. Comb.
- 11 17. Hairbrush.
- 12 18. Cleansing wipes.

13 (b) To be sold at all state correctional facilities for no more than 100 percent of
14 the sales price of the same product at the benchmark retailer, at least 2 varieties of
15 all of the following culturally sensitive personal hygiene products:

- 16 1. Hair shampoo that is appropriate for types 2, 3, and 4 hair.
- 17 2. Hair conditioner that is appropriate for types 2, 3, and 4 hair.
- 18 3. Natural hair oil that is appropriate for types 2, 3, and 4 hair.
- 19 4. Shaving cream that is appropriate for types 2, 3, and 4 hair.
- 20 5. Bar soap.
- 21 6. Cocoa-butter-based body lotion.

22 **(3)** The department shall ensure that each inmate in a state correctional
23 institution is provided with a monthly personal hygiene stipend of \$25 to purchase
24 personal hygiene products.

25 **SECTION 2.** 302.074 of the statutes is created to read:

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1 **302.074 County jail or house of correction inmate personal hygiene**
2 **products. (1)** The sheriff shall ensure that each county jail or house of correction
3 has a commissary that provides all of the following personal hygiene products for
4 acquisition by inmates:

5 (a) To be sold for no more than the price set for the same product under s.
6 302.073 (2) (a), at least 2 varieties of all of the following products:

- 7 1. Deodorant.
- 8 2. Antiperspirant.
- 9 3. Shampoo.
- 10 4. Hair conditioner.
- 11 5. Liquid body wash.
- 12 6. Bar soap.
- 13 7. Body lotion.
- 14 8. Face wash.
- 15 9. Facial lotion.
- 16 10. Toothpaste.
- 17 11. Toothbrush.
- 18 12. Dental floss.
- 19 13. Razor.
- 20 14. Shaving cream.
- 21 15. Sunscreen.
- 22 16. Comb.
- 23 17. Hairbrush.
- 24 18. Cleansing wipes.

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1 (b) To be sold at no more than the price set for the same product under s. 302.073

2 (2) (b), at least 2 varieties of all of the following culturally sensitive personal hygiene
3 products:

4 1. Hair shampoo that is appropriate for types 2, 3, and 4 hair.

5 2. Hair conditioner that is appropriate for types 2, 3, and 4 hair.

6 3. Natural hair oil that is appropriate for types 2, 3, and 4 hair.

7 4. Shaving cream that is appropriate for types 2, 3, and 4 hair.

8 5. Bar soap.

9 6. Cocoa-butter-based body lotion.

10 (2) The sheriff shall ensure that each inmate in a county jail or house of
11 correction is provided with a monthly personal hygiene stipend of \$25 to purchase
12 personal hygiene products.

13 **SECTION 3. Fiscal changes.**

14 (1) PERSONAL HYGIENE STIPENDS. In the schedule under s. 20.005 (3) for the
15 appropriation to the department of corrections under s. 20.410 (1) (a), the dollar
16 amount for fiscal year 2023-24 is increased by \$6,450,000 to provide personal
17 hygiene stipends under s. 302.073 (3). In the schedule under s. 20.005 (3) for the
18 appropriation to the department of corrections under s. 20.410 (1) (a), the dollar
19 amount for fiscal year 2024-25 is increased by \$6,450,000 to provide personal
20 hygiene stipends under s. 302.073 (3).

21 (END)