



State of Wisconsin
2017 - 2018 LEGISLATURE

January 2017 Special Session

LRB-1498/2

CMH:wlj

ASSEMBLY BILL 2

February 17, 2017 - Introduced by COMMITTEE ON ASSEMBLY ORGANIZATION, Representatives NYGREN, BILLINGS, FELZKOWSKI, SKOWRONSKI, NOVAK, QUINN, RIPP, SWEARINGEN, PETRYK, MURSAU, TITTL, RODRIGUEZ, BORN, R. BROOKS, VANDERMEER, LOUDENBECK, MURPHY, SPIROS, KULP, FIELDS, SCHRAA, KLEEFISCH, HORLACHER, ROHRKASTE, E. BROOKS, BERNIER, TUSLER, EDMING, KOLSTE, SUBECK, BROSTOFF, VRUWINK, WACHS, SARGENT, OHNSTAD, C. TAYLOR, ZEPNICK, SINICKI, DOYLE, KRUG, PETERSEN, JAGLER, BALLWEG, TRANEL, SPREITZER, ZAMARRIPA and JACQUE, cosponsored by Senators S. FITZGERALD, DARLING, VUKMIR, HARS DORF, FEYEN, OLSEN, WANGGAARD, TESTIN, MARKLEIN, COWLES, VINEHOUT, CARPENTER, WIRCH and HANSEN, by request of Governor Scott Walker. Referred to Committee on Criminal Justice and Public Safety.

- 1 **AN ACT to repeal** 20.455 (2) (en); and **to create** 20.455 (2) (en) of the statutes;
2 **relating to:** treatment and diversion programs and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice awards grants to counties to provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. This bill provides moneys from general purpose revenue in each fiscal year in amounts specified in the bill to increase the amount spent for grants to counties operating treatment and diversion programs, to expand the grant program to more counties, and, subject to approval of the Joint Committee on Finance, to create a pilot program to divert certain persons to treatment options instead of the criminal justice system.

For further information see the *state* 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:

- 3 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
4 the following amounts for the purposes indicated:

2015-16 2016-17

20.455 Justice, department of

(2) LAW ENFORCEMENT SERVICES

(en) Diversion pilot program GPR A -0- -0-

1 **SECTION 2.** 20.455 (2) (en) of the statutes is created to read:

2 20.455 (2) (en) *Diversion pilot program.* The amounts in the schedule to create
3 a diversion pilot program for nonviolent offenders to be diverted to a treatment
4 option.

5 **SECTION 3.** 20.455 (2) (en) of the statutes, as created by 2017 Wisconsin Act
6 (this act), is repealed.

7 **SECTION 4. Nonstatutory provisions.**

8 (1) DIVERSION PILOT PROGRAM. The department of justice shall submit to the joint
9 committee on finance a request to supplement the appropriation under section
10 20.455 (2) (en) of the statutes with the funds that are held in the appropriation
11 account under section 20.865 (4) (a) of the statutes for the purpose described in
12 SECTION 5 (3) of this act along with a proposed plan for the expenditure of the moneys.
13 If the cochairpersons of the committee do not notify the department of justice within
14 14 working days after the date of the department's submittal that the committee has
15 scheduled a meeting for the purpose of reviewing the proposed plan, the joint
16 committee on finance shall release the funds and the department of justice may
17 expend the moneys to implement the proposed plan. If, within 14 working days after
18 the date of the department's submittal, the cochairpersons of the committee notify
19 the department of justice that the committee has scheduled a meeting for the purpose
20 of reviewing the proposed plan, the department of justice may expend the moneys

1 only if the joint committee on finance releases the funds and only to implement the
2 plan as approved by the committee.

3 **SECTION 5. Fiscal changes.**

4 (1) TREATMENT AND DIVERSION PROGRAM GRANTS. In the schedule under section
5 20.005 (3) of the statutes for the appropriation to the department of justice under
6 section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year 2017-18 is
7 increased by \$2,000,000 for the purpose for which the appropriation is made. In the
8 schedule under section 20.005 (3) of the statutes for the appropriation to the
9 department of justice under section 20.455 (2) (em) of the statutes, the dollar amount
10 for fiscal year 2018-19 is increased by \$2,000,000 for the purpose for which the
11 appropriation is made.

12 (2) TREATMENT AND DIVERSION PROGRAMS EXPANSION. In the schedule under
13 section 20.005 (3) of the statutes for the appropriation to the department of justice
14 under section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year
15 2017-18 is increased by \$150,000 for the expansion of the grant program under
16 section 165.95 (2) of the statutes to additional counties. In the schedule under section
17 20.005 (3) of the statutes for the appropriation to the department of justice under
18 section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year 2018-19 is
19 increased by \$150,000 for the expansion of the grant program under section 165.95
20 (2) of the statutes to additional counties.

21 (3) DIVERSION PILOT PROGRAM. In the schedule under section 20.005 (3) of the
22 statutes for the appropriation to the joint committee on finance under section 20.865
23 (4) (a) of the statutes, the dollar amount for fiscal year 2017-18 is increased by
24 \$261,000 for the purpose of funding a diversion pilot program for nonviolent
25 offenders to be diverted to a treatment option. In the schedule under section 20.005

1 (3) of the statutes for the appropriation to the joint committee on finance under
2 section 20.865 (4) (a) of the statutes, the dollar amount for fiscal year 2018-19 is
3 increased by \$261,000 for the purpose of funding a diversion pilot program for
4 nonviolent offenders to be diverted to a treatment option.

5 **SECTION 6. Effective dates.** This act takes effect on the day after publication,
6 except as follows:

7 (1) The repeal of section 20.455 (2) (en) the statutes takes effect on July 1, 2019.

8 (END)