

**CHAPTER 35
MAINTENANCE AND BOARD
OF PRISONERS**

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35.01 AUTHORITY. Subchapter I, consisting of sections 35.02 through 35.20, inclusive, is enacted pursuant to sections 56.08(4), 56.18, 59.07(47), 66.12(1)(c) and 176.43(1) of the Wisconsin Statutes.

[**HISTORY:** am., OA 7, 1991-92, pub. 08/07/91, eff. 09/01/91.]

35.015 DEFINITIONS. As used in this subchapter, the following words have the meanings indicated:

(1) *Jail* means the Dane County Jail and includes jail annexes, Huber facilities and rehabilitation facilities owned and operated by the County of Dane.

(2) *Huber prisoner* means a person confined under sec. 56.08, Wis. Stats., who is gainfully employed. The term also includes work release prisoners.

(3) *Municipal prisoner* means a prisoner of any municipality located within the County of Dane.

(4) *Other county prisoner* means a prisoner of any county other than the County of Dane and includes, as well, prisoners of municipalities in counties other than the County of Dane.

(5) *State prisoner* means a prisoner of the State of Wisconsin.

(6) *Federal prisoner* means a prisoner of the United States.

(7) *Civil prisoner* means a prisoner held under civil law provisions.

[**HISTORY:** cr., OA 7, 1991-92, pub. 08/07/91, eff. 09/01/91; (7) cr., Sub. 3 to OA 34, 1994-95, pub. 11/01/95.]

35.02 MUNICIPAL PRISONERS. The cost of maintenance and board for a municipal prisoner in the jail is deemed to be \$80.45 for each day that the prisoner is confined.

[**HISTORY:** am., OA 7, 1991-92, pub. 08/07/91, eff. 09/01/91; am., Sub. 3 to OA 34, 1994-95, pub. 11/01/95; (1) am., OA 37, 1997-98, pub. 05/19/98, eff. 06/01/98; am., OA 43, 2007-08, pub. 02/01/08; am., OA 7, 2008-09, pub. 07/30/08.]

35.03 HUBER LAW PRISONERS. Each Huber prisoner who is confined in the jail shall pay no fee for the cost of their maintenance and board for the period during which they are so confined and gainfully employed.

[**HISTORY:** am., OA 7, 1991-92, pub. 08/07/91, eff. 09/01/91; am., Sub. 3 to OA 34, 1994-95, pub. 11/01/95, eff. 12/01/95; am., OA 37, 1997-98, pub. 05/19/98, eff. 06/01/98; am., OA 30, 2002-03, pub. 04/23/03; am., OA 38, 2006-07, pub. 05/02/07; am., OA 34, 2007-08, pub. 11/28/07; am., Sub. 1 to OA 29, 2009-10, pub. 11/25/09, eff. 01/01/10; am., 2021 OA-52, pub. 12/2/21.]

35.04 OTHER COUNTY PRISONERS. A county boarding its prisoners at the jail shall pay the sum of \$80.45 per day for each prisoner.

[**HISTORY:** rep. and recr., OA 7, 1991-92, pub. 08/07/91, eff. 09/01/91; am., OA 7, 2008-09, pub. 07/30/08.]

35.05 FEDERAL PRISONERS. The federal government shall pay the sum of \$80.45 per day for each prisoner confined in the jail on an accommodation basis.

[**HISTORY:** am., OA 7, 1991-92, pub. 08/07/91, eff. 09/01/91; am., OA 43, 2007-08, pub. 02/01/08.]

State Law Reference: See section 35.01 above.

35.06 STATE PRISONERS. (1) The State of Wisconsin shall pay the sum of \$40.00 per day for the boarding of any prisoner held in the jail for alleged probation or parole violation, or such higher rate as may hereafter be authorized by statute.

(2) The State of Wisconsin shall pay the sum of \$50.00 per day for the boarding of any prisoner in the jail who is charged with escape or involved in a post-conviction proceeding.

(3) The State of Wisconsin shall pay the sum of \$50.00 per day for the boarding of any state prisoner in the jail on an accommodation basis.

[**HISTORY:** cr., OA 7, 1991-92, pub. 08/07/91, eff. 09/01/91; (1) am., Sub. 3 to OA 34, 1994-95, pub. 11/01/95, eff. 12/01/95.]

35.07 CIVIL PRISONERS. There is imposed a charge of \$60 per day for each day of confinement in the jail of any person jailed under the civil law provisions of this state or any other state.

[**HISTORY:** cr., Sub. 3 to OA 34, 1994-95, pub. 11/01/95; am., OA 37, 1997-98, pub. 05/19/98, eff. 06/01/98.]

[35.08 - 35.99 reserved.]

END OF CHAPTER