



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRB-4048/1  
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## 2025 ASSEMBLY BILL 734

December 3, 2025 - Introduced by Representatives PHELPS, MADISON, HONG, ARNEY, CLANCY, TENORIO, BARE, JOERS, MOORE OMOKUNDE, SINICKI, STROUD, STUBBS, UDELL and NEUBAUER, cosponsored by Senators ROYS and LARSON. Referred to Committee on Corrections.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to repeal* 20.410 (1) (ac); *to create* 20.410 (1) (ac), 301.03 (16m),  
2           302.075 and 302.076 of the statutes; **relating to:** climate control in state  
3           correctional institutions and county jails and houses of correction and making  
4           an appropriation.

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### ***Analysis by the Legislative Reference Bureau***

This bill requires the warden or superintendent of a state correctional institution or the county sheriff or person in charge of a county jail or house of correction to ensure that the heating, ventilation, and air conditioning in the state correctional institution or county jail or house of correction are in working order and to ensure that the temperature in each housing unit is not less than 68 degrees Fahrenheit and not more than 76 degrees Fahrenheit at all times. The bill also requires the warden or superintendent of a state correctional institution or the county sheriff or person in charge of a county jail or house of correction to record the temperatures in all housing facility common areas and two random cells located in substantially different areas of each housing unit on any day that the outdoor temperature is below 10 degrees Fahrenheit or above 90 degrees Fahrenheit and requires the Department of Corrections to report that temperature data to the legislature on an annual basis.

The bill applies the temperature requirements in the bill to one-third of state

**ASSEMBLY BILL 734****SECTION 1.**

correctional institutions on May 1, 2029; another one-third on May 1, 2031, and the final one-third of state correctional institutions and the county jails on May 1, 2035 and directs DOC to determine the order in which to install heating, ventilation, or air conditioning systems in the state correctional institutions to meet those deadlines and report that information to the legislature. This bill provides \$500,000 to DOC in the 2025-26 fiscal year to complete the required report, \$750,000 and 7.0 FTE positions to DOC in each year of the 2025-27 fiscal biennium to support updates to correctional institution heating, ventilation, and air conditioning systems, and provides a new \$65,000,000 continuing appropriation beginning in the 2026-27 fiscal year to install and operate heating, ventilation, and air conditioning in state correctional institutions as required under the bill, which sunsets on May 1, 2031.

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

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

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

	<b>2025-26</b>	<b>2026-27</b>
<b>20.410 Corrections, department of</b>		
(1) ADULT CORRECTIONAL SERVICES		
(ac) Institutional heating, ventilation,		
and air conditioning systems	GPR C	-0- 65,000,000

**SECTION 2.** 20.410 (1) (ac) of the statutes is created to read:

20.410 (1) (ac) *Institutional heating, ventilation, and air conditioning systems.*

As a continuing appropriation, the amounts in the schedule to install and operate heating, ventilation, or air conditioning systems required under s. 302.075 (1).

**SECTION 3.** 20.410 (1) (ac) of the statutes, as affected by 2025 Wisconsin Act .... (this act), is repealed.

**SECTION 4.** 301.03 (16m) of the statutes is created to read:

**ASSEMBLY BILL 734****SECTION 4**

1           301.03 (16m) (a) Submit to the chief clerk of each house of the legislature, for  
2           distribution to the appropriate standing committees under s. 13.172 (3) an annual  
3           report containing state correctional institution and county jail and house of  
4           correction temperature data from the following sources:

5           1. The state correctional institution temperature data recorded under s.  
6           302.075 (2).

7           2. The county jail and house of correction temperature data recorded under s.  
8           302.076 (2).

9           (b) The department shall furnish each sheriff or person in charge of a county  
10          jail or house of correction with instructions that specify the information that is  
11          required to be reported under par. (a), a simple format in which to submit the  
12          information, the time it is to be forwarded, the process for submitting it, the method  
13          of classifying it, and any other matters that facilitate collection and compilation.  
14          The format provided under this paragraph shall, to the greatest extent feasible,  
15          minimize the time required by each person to submit the required information.

16          **SECTION 5.** 302.075 of the statutes is created to read:

17          **302.075 Prison climate control.** (1) The warden or superintendent shall  
18          ensure that the heating, ventilation, and air conditioning in the state correctional  
19          institution are in working order and shall ensure that the temperature in each  
20          housing unit of the state correctional institution is not less than 68 degrees  
21          Fahrenheit and not more than 76 degrees Fahrenheit at all times.

22          (2) On any day that the outdoor temperature is below 10 degrees Fahrenheit

**ASSEMBLY BILL 734****SECTION 5**

1 or above 90 degrees Fahrenheit, the warden or superintendent shall record the  
2 temperatures in all of the following areas of the state correctional institution:

3 (a) On each level, every housing facility common area.

4 (b) In each housing unit, two random cells that are located in substantially  
5 different areas of the housing unit.

6 **SECTION 6.** 302.076 of the statutes is created to read:

7 **302.076 Climate control in a county jail or house of correction. (1)**

8 The sheriff or person in charge of a county jail or house of correction shall ensure  
9 that the heating, ventilation, and air conditioning in the county jail or house of  
10 correction are in working order and shall ensure that the temperature in each  
11 housing unit of the county jail or house of correction is not less than 68 degrees  
12 Fahrenheit and not more than 76 degrees Fahrenheit at all times.

13 **(2)** On any day that the outdoor temperature is below 10 degrees Fahrenheit  
14 or above 90 degrees Fahrenheit, the sheriff or person in charge of the county jail or  
15 house of correction shall record the temperatures in all of the following areas of the  
16 county jail or house of correction:

17 (a) On each level, every housing facility common area.

18 (b) In each housing unit, two random cells that are located in substantially  
19 different areas of the housing unit.

20 **SECTION 7. Nonstatutory provisions.**

21 (1) The department of corrections shall determine the order in which to  
22 install heating, ventilation, or air conditioning in the state correctional institutions  
23 to meet the requirements under s. 302.075 (1), as follows:

**ASSEMBLY BILL 734****SECTION 7**

1           (a) The department of corrections shall identify one-third of the state  
2       correctional institutions in which to install heating, ventilation, or air conditioning  
3       by May 1, 2029.

4           (b) The department of corrections shall identify one-third of the state  
5       correctional institutions in which to install heating, ventilation, or air conditioning  
6       by May 1, 2031.

7           (c) The department of corrections shall identify one-third of the state  
8       correctional institutions in which to install heating, ventilation, or air conditioning  
9       by May 1, 2035.

10          (2) No later than the first day of the 13th month following the effective date of  
11       this subsection, the department of corrections shall submit to the chief clerk of each  
12       house of the legislature, for distribution to the appropriate standing committees in  
13       the manner provided under s. 13.172 (3), a report describing how the department  
14       will prioritize modification of the state correctional facilities as required under sub.  
15       (1) to meet the temperature requirements under s. 302.075 (1) and identifying  
16       strategies to meet the heating and cooling needs of inmates prior to the deadlines  
17       under sub. (1), including using mobile water misters, issuing weather appropriate  
18       garments, and providing ice.

19           **SECTION 8. Fiscal changes.**

20          (1) REPORT ON MODIFICATIONS TO HEATING, VENTILATION, AND AIR  
21       CONDITIONING IN STATE CORRECTIONAL INSTITUTIONS. In the schedule under s.  
22       20.005 (3) for the appropriation to the department of corrections under s. 20.410 (1)

**ASSEMBLY BILL 734****SECTION 8**

1 (a), the dollar amount for fiscal year 2025-26 is increased by \$500,000 to complete  
2 the report required under SECTION 7 (2) of this act.

3 (2) ADDITIONAL POSITIONS RELATING TO HEATING, VENTILATION, AND AIR  
4 CONDITIONING IN STATE CORRECTIONAL INSTITUTIONS. In the schedule under s.  
5 20.005 (3) for the appropriation to the department of corrections under s. 20.410 (1)  
6 (a), the dollar amount for fiscal year 2025-26 is increased by \$750,000 to increase  
7 the authorized FTE positions for the department by 7.0 GPR positions, which shall  
8 include 2.0 engineer positions, 4.0 project manager positions, and 1.0 budget  
9 analyst position to support updates to correctional institution heating, ventilation,  
10 and air conditioning systems. In the schedule under s. 20.005 (3) for the  
11 appropriation to the department of corrections under s. 20.410 (1) (a), the dollar  
12 amount for fiscal year 2026-27 is increased by \$750,000 to provide funding for the  
13 positions authorized under this subsection.

14 **SECTION 9. Initial applicability.**

15 (1) The treatment of s. 302.075 (1) first applies to the state correctional  
16 institutions identified by the department of corrections under SECTION 7 (1) (a) of  
17 this act on May 1, 2029.

18 (2) The treatment of s. 302.075 (1) first applies to the state correctional  
19 institutions identified by the department of corrections under SECTION 7 (1) (b) of  
20 this act on May 1, 2031.

21 (3) The treatment of s. 302.075 (1) first applies to the state correctional  
22 institutions identified by the department of corrections under SECTION 7 (1) (c) of  
23 this act on May 1, 2035.

# ASSEMBLY BILL 734

1           **SECTION 10. Effective dates.** This act takes effect on the day after  
2       publication, except as follows:

3 (1) The treatment of s. 302.076 (1) takes effect on May 1, 2035.

4 (2) The repeal of s. 20.410 (1) (ac) takes effect on May 1, 2031.

5 (END)