



**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 410**

November 6, 1997 – Offered by COMMITTEE ON CHILDREN AND FAMILIES.

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 8, line 1: delete “of” and substitute “or”.
- 3 **2.** Page 10, line 21: delete lines 21 to 25.
- 4 **3.** Page 11, line 1: delete lines 1 to 5.
- 5 **4.** Page 13, line 20: delete “~~child~~” and substitute “child”.
- 6 **5.** Page 14, line 8: after “child” insert “or a parent with custody of a child”.
- 7 **6.** Page 23, line 22: delete lines 22 to 25.
- 8 **7.** Page 24, line 1: delete lines 1 to 6.
- 9 **8.** Page 29, line 4: delete lines 4 to 25.
- 10 **9.** Page 30, line 1: delete lines 1 to 11 and substitute:

1 “**SECTION 66g.** 938.355 (6m) (a) of the statutes is renumbered 938.355 (6m) (a)
2 (intro. and amended to read:

3 938.355 **(6m)** (a) (intro.) If the court finds by a preponderance of the evidence
4 that a juvenile who has been found in need of protection or services based on habitual
5 truancy from school has violated a condition specified under sub. (2) (b) 7., the court
6 may order as a sanction any combination of the ~~operating privilege suspension~~
7 ~~specified in this paragraph~~ sanctions specified in subs. 1. to 3. and the dispositions
8 specified in s. 938.342 (1) ~~(b)~~ (d) to (f) and (1m), regardless of whether the disposition
9 was imposed in the order violated by the juvenile, if at the dispositional hearing
10 under s. 938.335 the court explained those conditions to the juvenile and informed
11 the juvenile of the possible sanctions under this paragraph for a violation or if before
12 the violation the juvenile has acknowledged in writing that he or she has read, or has
13 had read to him or her, those conditions and possible sanctions and that he or she
14 understands those conditions and possible sanctions. The court may order as a
15 sanction ~~suspension under this paragraph~~ any of the following:

16 1. Suspension or limitation on the use of the juvenile’s operating privilege, as
17 defined under s. 340.01 (40), or of any approval issued under ch. 29 for not more than
18 one year. If the juvenile does not hold a valid operator’s license under ch. 343, other
19 than an instruction permit under s. 343.07 or a restricted license under s. 343.08, on
20 the date of the order issued under this ~~paragraph~~ subdivision, the court may order
21 the suspension or limitation to begin on the date that the operator’s license would
22 otherwise be reinstated or issued after the juvenile applies and qualifies for issuance
23 or 2 years after the date of the order issued under this ~~paragraph~~ subdivision,
24 whichever occurs first. If the court suspends ~~an a juvenile’s operating privilege or~~
25 an approval issued under this paragraph ch. 29, the court shall immediately take

1 possession of the suspended license or approval and forward it to the department of
2 transportation that issued the license or approval with a notice stating the reason
3 for and the duration of the suspension.

4 **SECTION 66h.** 938.355 (6m) (a) 2. of the statutes is created to read:

5 938.355 (6m) (a) 2. Counseling or participation for not more than 25 hours in
6 a supervised work program or other community service work under s. 938.34 (5g).

7 **SECTION 66j.** 938.355 (6m) (a) 3. of the statutes is created to read:

8 938.355 (6m) (a) 3. Detention in the juvenile's home or current residence for
9 a period of not more than 30 days except during hours in which the juvenile is
10 attending religious worship or a school program, including travel time required to
11 get to and from the place of worship or school program. The order may permit a
12 juvenile to leave his or her home or current residence if he or she is accompanied by
13 a parent or guardian.”.

14 **10.** Page 46, line 24: delete “sections 118.163 (2) (b) and (c),”.

15 **11.** Page 46, line 25: delete that line and substitute “section 938.355 (6) (d) 2.
16 and (e) and (6g) (c) of”.

17 **12.** Page 47, line 1 delete “first applies” and substitute “, the renumbering and
18 amendment of section 938.355 (6m) (a) of the statutes and the creation of section
19 938.355 (6m) (a) 2. and 3. of the statutes first apply”.

20 (END)