## 1999 DRAFTING REQUEST

## Senate Amendment (SA-SSA1-AB133)

Received: 06/29/99  Wanted: As time permits  For: Senate Republican Caucus  This file may be shown to any legislator: NO  May Contact:					Received By: olsenje  Identical to LRB:  By/Representing: Bill Skewes  Drafter: olsenje  Alt. Drafters:											
									Subject: Criminal Law - sentencing Courts - garn/injunct					Extra Copies: MGD RPN		
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Violatio	on of domestic	abuse restrainir	ng order													
Instruc	tions:															
See Atta	ached															
 Draftin	g History:															
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required									
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Criminal Law - sentencing

Courts - garn/injunct

Extra Copies:

**MGD** 

RPN

Pre Topic:

No specific pre topic given

Topic:

Violation of domestic abuse restraining order

**Instructions:** 

See Attached

**Drafting History:** 

Vers.

**Drafted** 

Reviewed

Typed

Proofed

**Submitted** 

Jacketed

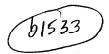
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# Possible Amendment From SRSG

SRSC #9
RE: Penalties for Repeated Violation of Domestic Abuse Restraining Order

Under current law the penalty for violation of a domestic abuse restraining order is a fine of not more than \$1,000 or imprisonment for not more than nine months or both.

This motion is identical to one that Senator Huelsman submitted to and was passed by Assembly Republicans during their budget caucus. This motion would require the court to sentence and individual to a minimum of five days imprisonment for a second, or subsequent violation of a domestic abuse restraining order.

1999 - 2000 LEGISLATURE Dake - Am. # 222, Penalty for violation of restraining order FOR 1999-01 BUDGET NOT READY FOR INTRODUCTION CAUCUS AMENDMENT

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TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

### TO 1999 ASSEMBLY BILL 133

T	At the locations indicated, amend the substitute amendment its informs.
2	1. Page 1426, line 12: after that line insert:
3	"Section 3088s. 813.12 (8) (a) of the statutes is renumbered 813.12 (8) (a) 1.
4	and amended to read:
5	813.12 (8) (a) 1. Wheever Except as provided in subd. 2., whoever knowingly
6	$violates\ a\ temporary\ restraining\ order\ or\ injunction\ is sued\ under\ sub.\ (3)\ or\ (4)\ shall$
7	be fined not more than \$1,000 or imprisoned for not more than 9 months or both.
8	SECTION 3088t. 813.12 (8) (a) 2. of the statutes is created to read:
9	813.12 (8) (a) 2. Whoever knowingly violates a temporary restraining order or
.0	injunction issued under sub. (3) or (4) shall be imprisoned for not less than 5 days nor

more than 9 months and may be fined not more than \$1,000 if, at any time preceding the violation, the person has been convicted of knowingly violating a temporary restraining order or injunction issued under sub. (3) or (4). This subdivision applies whether the person previously violated the same temporary restraining order or injunction or a different temporary restraining order or injunction.".

### **2.** Page 1603, line 24: after that line insert:

"(3g) VIOLATION OF DOMESTIC ABUSE RESTRAINING ORDERS. The treatment of section 813.12 (8) (a) 2. of the statutes first applies to violations of temporary restraining orders or injunctions that occur on the effective date of this subsection, but does not preclude counting violations that occurred before the effective date of this subsection for purposes of determining whether the person has previously been convicted of a violation of a temporary restraining order or injunction.".

(END)