1999 DRAFTING REQUEST

Assembly Amendment (AA-AB327)

Received: 10/19/1999 Wanted: As time permits For: Antonio Riley (608) 266-0645				Received By: nilsepe				
					Identical to LRB: By/Representing: Chris Gunst			
This file	e may be shown	to any legislat	or: NO		Drafter: nilsepe			
May Contact:					Alt. Drafters:			
Subject: Transportation - misce			ellaneous		Extra Copies:			
Pre To	pic:							
No spec	cific pre topic gi	ven						
Topic:								
Forfeitu	re of vehicles u	sed in drug crir	nes and own	ned by person	under 16 years of	age		
Instruc	etions:							
See Atta	ached							
Draftin	ng History:					 	and the second of the second o	
Vers.	Drafted	Reviewed	<u>Typed</u>	<u>Proofed</u>	Submitted	<u>Jacketed</u>	Required	
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FE Sent	For:			∠END>				

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Subject:

Transportation - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Forfeiture of vehicles used in drug crimes and owned by person under 16 years of age

Instructions:

See Attached

Drafting History:

Vers.

Drafted

Reviewed

Submitted

Jacketed

Required

/?

nilsepe

volg

FE Sent For:

<END>

	1894	90776/1
	ASSEMBLY SUBSTITUTE AMENDMENT, TO 1999 ASSEMBLY BILL 327	90776/1 PEN/CH
	AA-AB 327	
#,	Page 1, line 4: after "registration" insert)
1	AN ACT to amend 961.55 (1) (d) 2. of the statutes; relating to	orfeiture of
#.Page	vehicles involved in certain drug crimes 7. line 12: de lete lines 12 and 13. The people of the state of Wisconsin represented in senate and as line 17: le lete lines 17 to 19 and 5 bit to te? SECTION 16 961.55 (1) (d) 2. of the statutes is amended to read: 5 m 3 B Oct 55 (1) (d) 2. No vehicle is subject to forfeiture under this section	stately, do
H. Page 1	2, line 17: le lete lines 17 to 19. and 5 bitto te 2 SECTION \$6 961.55 (1) (d) 2. of the statutes is amended to read: 5 m 3 3	
4	961.55 (1) (d) 2. No vehicle is subject to forfeiture under this section	n by reason
5	of any act or omission established by the owner thereof to have been co	mmitted or
6	omitted without the owner's knowledge or consent;. This subdivision does	s not apply
7	to any vehicle owned by a person who is under 16 years of age on the date	the vehicle
8	was used, or was intended for use, in the manner described under par.	<u>d) (intro.).</u>
9	SECTION Initial applicability.	

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1999 <u>- 2000 LEGISLATURE</u>

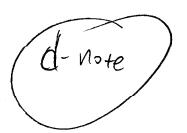
Today

10/19

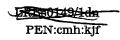
4

1 (1) Misspot first applies to vehicles used, or intended for use, on the effective date of this subsection in the manner described under section 961.55 (1) (d) 2. of the statutes.

(END)



DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU



October 19, 1999

a0776/164

Representative Riley:

Current law prohibits the manufacture, delivery, distribution, dispensing or acquisition of certain controlled substances and of raw materials, products and equipment of any kind used, or intended for use, in manufacturing, compounding, processing, delivering, distributing, importing or exporting those controlled substances. Under current law, any vehicle used or intended for use to transport, or in any manner to facilitate the transportation, for the purpose of sale or receipt of such controlled substances, raw materials, products or equipment, or for the purpose of transporting any property or weapon used or to be used or received in the commission of any felony related to such controlled substances may, in addition to other penalties. be forfeited to the state. Current law provides an "innocent owner" defense, under which the owner of a vehicle subject to such forfeiture may prevent the forfeiture by establishing that the offense was committed without his or her knowledge or consent.

This substitute amendment makes this "innocent owner" defense inapplicable to a vehicle that was owned by a person who is under 16 years of age at the time of the offense giving rise to the forfeiture action. This substitute amendment applies prospectively only, to vehicles used, or intended for use, in offenses on or after the date this substitute amendment takes effect.

Paul E. Nilsen Legislative Attorney

Phone: (608) 261-6926



State of Misconsin 1999 - 2000 LEGISLATURE

CNFC A C-V LRB-1853/1 PEN:pgt:jf

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1999 ASSEMBLY BILL 327

May 6, 1999 – Introduced by Representatives RILEY, STONE, HASENOHRL, LA FAVE ALBERS, BRANDEMUEHL, BOCK, RYBA, STASKUNAS, GOETSCH, MILLER, MUSSER AINSWORTH, WASSERMAN, HAHN, TURNER and BOYLE, cosponsored by Senators BURKE, SCHULTZ, PANZER and HUELSMAN. Referred to Committee on Transportation.

AN ACT to amend 341.08 (1m), 341.08 (2) (a) and (am) and 341.17 (9) (a) 3.; and to create 341.10 (15) of the statutes; relating to: requiring motor vehicle owners to include their birth dates on applications for motor vehicle registration.

Analysis by the Legislative Reference Bureau

Under current law, an applicant for motor vehicle registration is required to include his or her name and address in the application, together with a description of the vehicle and other information reasonably required by the department of transportation (DOT) to enable it to register the vehicle.

This bill requires the owner to include his or her birth date in the application for registration and tempires DOT to treat birth dates like other personal identifiers, such as name and address, for purposes of disclosure to the public.

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:

SECTION 1. 341.08 (1m) of the statutes is amended to read:

(end insert)

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DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa0776/1dn PEN:ch:hmh

October 19, 1999

Representative Riley:

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Under current law, an applicant for motor vehicle registration is required to include his or her name and address in the application, together with a description of the vehicle and other information reasonably required by the department of transportation (DOT) to enable it to register the vehicle. This bill requires the owner to include his or her birth date in the application for registration. The bill requires DOT to treat birth dates like other personal identifiers, such as name and address, for purposes of disclosure to the public.

Paul E. Nilsen Legislative Attorney Phone: (608) 261–6926