

2001 DRAFTING REQUEST

Bill

Received: **01/02/2001**

Received By: **nelsorp1**

Wanted: **As time permits**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Addl. Drafters:

Subject: **Correctional System - prisons**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Preparation of prison impact statements

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nelsorp1 01/15/2001	wjackson 01/17/2001		_____			State
/1			pgreensl 01/22/2001	_____	lrb_docadmin 01/22/2001	lrb_docadmin 02/19/2002	

FE Sent For:

At intro.

<END>

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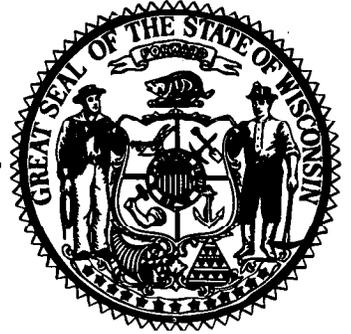
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1/?	nelsorp1		<i>29</i> <i>PG</i>	<i>Y22</i> <i>PG/IS</i>			

FE Sent For:

<END>

FRED A. RISSER
President
Wisconsin State Senate



To: Jeffren Olsen

From: Senate President Fred Risser

Date: December 26, 2000

RE: 1999 Senate Bill 120

I am writing to request that 1999 Senate Bill 120 be drafted for introduction during the 2001 Legislative Session. 1999 Senate Bill 120 relates to the preparation of prison impact assessments for bills that create or modify the term for a felony. For your information, I have enclosed a copy of SB 120.

If you should have any questions, please contact Sarah Briganti in my office at 266-1627.

SB120

SENATE BILL 120

An Act to create 13.0975 of the statutes; relating to: prison impact assessments. (FE)
1999

04-21-99. S.	Introduced by Senators Risser, Decker, Moore, Roessler, Robson, Plache and Cowles; cosponsored by Representatives Pocan, Berceau, Black, Johnsrud, Boyle, Travis, Miller, Colon, Gronemus, Bock, Huber, Richards, Musser, Carpenter, Riley, Coggs, Lassa and Grothman.	
04-21-99. S.	Read first time and referred to committee on Insurance, Tourism, Transportation and Corrections.	<u>124</u>
05-05-99. S.	Public hearing held.	
05-05-99. S.	<u>Fiscal estimate received.</u>	
05-05-99. S.	<u>Fiscal estimate received.</u>	
05-05-99. S.	<u>Fiscal estimate received.</u>	
05-05-99. S.	Executive action taken.	
05-06-99. S.	<u>Fiscal estimate received.</u>	
05-11-99. S.	Report passage recommended by committee on Insurance, Tourism, Transportation and Corrections, Ayes 6, Noes 1	<u>142</u>
05-11-99. S.	Available for scheduling.	
05-13-99. S.	<u>Fiscal estimate received.</u>	
05-17-99. S.	<u>Fiscal estimate received.</u>	
11-02-99. S.	Read a second time	<u>316</u>
11-02-99. S.	Senate amendment <u>1</u> offered by Senators Huelsman, Farrow, Roessler, Schultz, Lazich, Welch, Drzewiecki, Zien and Panzer.	<u>316</u>
11-02-99. S.	Senate amendment <u>1</u> adopted	<u>316</u>
11-02-99. S.	Ordered to a third reading	<u>316</u>
11-02-99. S.	Rules suspended	<u>316</u>
11-02-99. S.	Read a third time and <u>passed</u>	<u>316</u>
11-02-99. S.	Senator Clausing added as a coauthor.	<u>316</u>
11-02-99. S.	Ordered immediately messaged	<u>317</u>
11-04-99. A.	Received from Senate	<u>514</u>
11-04-99. A.	Read first time and referred to committee on Corrections and the Courts	<u>515</u>
2000		
04-06-00. A.	Failed to concur in pursuant to Senate Joint Resolution 1	<u>915</u>

**SENATE AMENDMENT 1,
TO 1999 SENATE BILL 120**

November 2, 1999 – Offered by Senators HUELSMAN, FARROW, ROESSLER, SCHULTZ,
LAZICH, WELCH, DRZEWIECKI, ZIEN and PANZER.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 2, line 4: delete “director of state courts” and substitute “department
3 of corrections”.

4 ✓ 2. Page 2, line 7: delete “director” and substitute “department”.

5 ✓ 3. Page 2, line 8: delete “director” and substitute “department”.

6 ✓ 4. Page 2, line 9: delete “director” and substitute “department”.

7 ✓ 5. Page 2, line 20: delete “director” and substitute “department”.

8 ✓ 6. Page 3, line 3: delete “director of state courts” and substitute “department
9 of corrections”.

10 ✓ 7. Page 3, line 6: delete “director” and substitute “department”.

11 ✓ 8. Page 3, line 10: delete “director of state courts” and substitute “department
12 of corrections”.

- 1 ✓ **9.** Page 3, line 14: delete lines 14 to 16.
- 2 ✓ **10.** Page 3, line 17: delete “circuit” and substitute “director of state”.
- 3 ✓ **11.** Page 3, line 18: delete “director of state courts” and substitute
4 “department of corrections”.
- 5 ✓ **12.** Page 3, line 19: delete “director” and substitute “department of
6 corrections”.
- 7 ✓ **13.** Page 4, line 2: delete “director of state courts” and substitute “department
8 of corrections”.

9

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

1999/11

LRB-28771X

JEO:cmh&jlg:bmh
R/N:WJ

2001-02

2001
~~1999~~ SENATE BILL 120

V-NOTE

April 21, 1999 - Introduced by Senators RISSE, DECKER, MOORE, ROESSLER, ROBSON, PLACHE and COWLES, cosponsored by Representatives POCAN, BERCEAU, BLACK, JOHNSRUD, BOYLE, TRAVIS, MILLER, COLON, GRONEMUS, BOCK, HUBER, RICHARDS, MUSSER, CARPENTER, RILEY, COGGS, LASSA and GROTHMAN. Referred to Committee on Insurance, Tourism, Transportation and Corrections.

7/18

REGEN

DOC

Department

1
2

AN ACT to create 13.0975 of the statutes; relating to: prison impact assessments.

Department of corrections

Analysis by the Legislative Reference Bureau

(DOC)

Current law provides that a fiscal estimate be prepared for most legislative bills. A fiscal estimate for a bill is prepared by the appropriate state agency. However, current law exempts a bill containing penalty provisions from this procedure if no other provision of the bill requires a fiscal estimate.

This bill provides that the ~~director of state courts~~ must provide a prison impact assessment for any bill or bill draft that creates a felony (crime punishable by imprisonment in the state prison system) or modifies the period of imprisonment for a felony. ~~The director~~ has 21 days in which to prepare the assessment, beginning with the date on which ~~the director~~ receives a copy of an introduced bill from the legislative reference bureau or the date on which the requester of the bill draft asks for the assessment, whichever occurs first. The assessment includes estimates of the population of prisoners, probationers, parolees, and persons on extended supervision; a fiscal estimate regarding the impact on prison construction and operation; an analysis of the impact on prosecutors, the state public defender, and the courts; and a description of the assumptions and methodologies that were used to prepare the assessment. The bill provides that no legislative action on the bill or bill draft may be taken until the assessment is prepared. In addition, ~~the director~~ must prepare a yearly total prison impact assessment. ~~The department of corrections, the office of justice assistance in the department of administration and the circuit courts~~ must help ~~the director~~ by providing him or her with relevant information.

The

Director of state

SENATE BILL 120

Department of Corrections

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:

Department

1 SECTION 1. 13.0975 of the statutes is created to read:

2 **13.0975 Prison impact assessments.** (1) In this section, "prison" means a
3 state prison described under s. 302.01.

4 (2) The ~~director of state courts~~ shall prepare a prison impact assessment for
5 any bill or, if requested, for any bill draft that creates a felony or modifies the period
6 of imprisonment for a felony. Except as otherwise provided by the joint rules of the
7 legislature, the ~~director~~ shall prepare the assessment within 21 calendar days after
8 the date on which the ~~director~~ receives a copy of a bill under sub. (4) or the date on
9 which the ~~director~~ receives a request to prepare the assessment from the requester
10 of the bill draft, whichever occurs first. The assessment shall contain all of the
11 following:

12 (a) Projections of the impact on statewide populations of prisoners,
13 probationers, parolees and persons on extended supervision.

14 (b) An estimate of the fiscal impact of population changes under par. (a) on state
15 expenditures, including expenditures for the construction and operation of state
16 prisons for the current fiscal year and the 5 succeeding fiscal years.

17 (c) An analysis of any significant factor, not covered in complying with pars. (a)
18 and (b), affecting the cost of the bill or bill draft and the factor's impact on
19 prosecutors, the state public defender and courts.

20 (d) A statement of the methodologies and assumptions that the ~~director~~ used
21 in preparing the assessment.

§ (a) "Department" means the department of corrections
§ (b)

department of corrections

SENATE BILL 120

SECTION 1

Department of Administration

1 (3) The legislature shall reproduce and distribute assessments under sub. (2)
2 in the same manner as it reproduces and distributes amendments.

3 (4) A bill draft that requires an assessment by the ~~director of state courts~~
4 this section shall have that requirement noted on its jacket when the jacket is
5 prepared. When a bill that requires an assessment under this section is introduced,
6 the legislative reference bureau shall submit a copy of the bill to the ~~director~~ *Department*

7 (5) No public hearing before a standing committee may be held and no
8 committee vote may be taken regarding any bill or bill draft described in sub. (2)
9 unless the assessment under sub. (2) has been prepared.

10 (6) Annually, by March 1, the ~~director of state courts~~ shall submit to the
11 legislature under s. 13.172 (2) a prison impact assessment reflecting the cumulative
12 effect of all relevant changes in the statutes taking effect during the preceding
13 calendar year.

14 (7) The department of corrections shall provide the director of state courts with
15 information on current and past admissions and on length of time served as needed
16 by the director in order to prepare assessments under subs. (2) and (6).

17 (8) The ~~circuit~~ courts and the office of justice assistance in the department of
18 administration shall provide the ~~director of state courts~~ *department* with information to assist
19 the ~~director~~ *department* in preparing assessments under subs. (2) and (6).

20 (9) This section applies to bills introduced or requests for assessments for bill
21 drafts made on or after July 1, 200²~~0~~.

SECTION 2. Nonstatutory provisions.

Director of state

D - Note

4 This draft includes
Senate amendment 1 to
Senate Bill 120, as passed
by the Senate

RPA



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1720/1dn
RPN:wlj:pg

January 22, 2001

This draft includes Senate Amendment 1 to Senate Bill 120, as passed by the Senate.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

JAN 22 2001

January 22, 2001

MEMORANDUM

To: Senator Risser

From: Robert P. Nelson, Senior Legislative Attorney

Re: LRB-1720 Preparation of prison impact statements

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

_____ JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-7511 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.