

2007 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-SB40)**Received: **06/28/2007**Received By: **phurley**Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**By/Representing: **Onsager**This file may be shown to any legislator: **NO**Drafter: **phurley**

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Subject: **Criminal Law - miscellaneous**

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Pre Topic:

LFB:.....Onsager -

Topic:

Victim Restitution

Instructions:

Eliminate credit to restitution program

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>
/1	phurley 06/28/2007	lkunkel 06/29/2007	rschlue 06/29/2007	_____	cduerst 06/29/2007		

FE Sent For:

<END>

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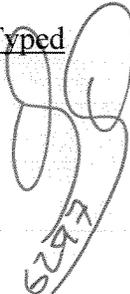
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/1	phurley	1/mk 6/29					

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<END>

DOA:.....Wavrunek, BB0091 – Restitution payments to the crime victim
restitution program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

Under current law, a court may order persons convicted of certain crimes to pay restitution to victims. These moneys are currently credited to the general fund; this bill credits the moneys to the crime victim restitution program.

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

2 **SECTION 1.** 20.455 (5) (hh) of the statutes is created to read:

3 20.455 (5) (hh) *Crime victim restitution.* All moneys received by the
4 department under s. 973.20 (9) (b) to provide crime victim restitution.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 973.20 (9) (b) of the statutes is amended to read:

1 973.20 (9) (b) When restitution is ordered, the court shall inquire to see if an
2 award has been made under subch. I of ch. 949 and if the department of justice is
3 subrogated to the cause of action under s. 949.15. If the restitution ordered is less
4 than or equal to the award under subch. I of ch. 949, the restitution shall be ~~paid only~~
5 ~~to the general fund~~ credited to the appropriation account under s. 20.455 (5) (hh).
6 If the restitution ordered is greater than the award under subch. I of ch. 949, the
7 ~~general fund shall receive~~ an amount equal to the award under subch. I of ch. 949
8 ~~shall be credited to the appropriation account under s. 20.455 (5) (hh)~~ and the balance
9 shall be paid to the victim.

****NOTE: This is reconciled s. 973.20 (9) (b). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0434 and LRB-1537.

10

(END)

mk

LFB:.....Onsager – Victim Restitution

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 224, line 5: delete that line. ✓

3 **2.** Page 376, line 24: delete that line. ✓

4 **3.** Page 377, line 1: delete lines 1 to 2. *and*

5 **4.** Page 1570, line 23: delete “paid only” and substitute “paid only”.

6 **5.** Page 1570, line 24: delete “to the general fund” and substitute “to the
7 general fund”.

8 **6.** Page 1570, line 24: delete “credited to the appropriation account under s.
9 20.455 (5) (hh)”. ✓

10 **7.** Page 1570, line 25: delete “*9493*the” and substitute “*9493*the”.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0917/1

PJH:lmk:rs

LFB:.....Onsager - Victim Restitution

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 224, line 5: delete that line.
- 3 **2.** Page 376, line 24: delete that line.
- 4 **3.** Page 377, line 1: delete lines 1 and 2.
- 5 **4.** Page 1570, line 23: delete “~~paid only~~” and substitute “paid only”.
- 6 **5.** Page 1570, line 24: delete “~~to the general fund~~” and substitute “to the
- 7 general fund”.
- 8 **6.** Page 1570, line 24: delete “credited to the appropriation account under s.
- 9 20.455 (5) (hh)”.
- 10 **7.** Page 1570, line 25: delete “949, ~~the~~” and substitute “949, the”.

