

2009 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB75)

Received: **06/08/2009**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Suder (608) 267-0280**

By/Representing: **Luke Hilgemann**

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

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Suder@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Recompense

Instructions:

Delete recompense provisions from budget

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 06/08/2009	kfollett 06/08/2009	phenry 06/08/2009	_____	lparisi 06/08/2009	lparisi 06/08/2009	
/2	phurley 06/10/2009	kfollett 06/10/2009	phenry 06/10/2009	_____	mbarman 06/10/2009	mbarman 06/10/2009	

FE Sent For:

<END>

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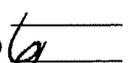
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/1	phurley	11 Etf 6/8	6/8 ph	6/8 ph			

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<END>



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBb0606/1
PJH:jld:rs

LFB:.....Carmichael - Recompense

**FOR 2009-11 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO 2009 ASSEMBLY BILL 75**

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

2 **1.** Page 1605, line 24: after that line insert:

3 **SECTION 3272m.** 895.446 (4) of the statutes is amended to read:

4 895.446 (4) Any recovery under this section shall be reduced by the amount
5 recovered as restitution under ss. 800.093 and 973.20 and ch. 938 for the same act
6 ~~or as recompense under s. 969.13 (5) (a) for the same act.~~”

7 **2.** Page 1631, line 9: after that line insert:

8 **SECTION 3349g.** 943.245 (3m) of the statutes is amended to read:

9 943.245 (3m) Any recovery under this section shall be reduced by the amount
10 recovered as restitution for the same act under ss. 800.093 and 973.20 ~~or as~~
11 ~~recompense under s. 969.13 (5) (a) for the same act~~ and by any amount collected in

1 connection with the act and paid to the plaintiff under a deferred prosecution
2 agreement under s. 971.41.

3 **SECTION 3349r.** 943.51 (3r) of the statutes is amended to read:

4 943.51 (3r) Any recovery under this section shall be reduced by the amount
5 recovered as restitution for the same act under ss. 800.093 and 973.20 ~~or as~~
6 ~~recompense under s. 969.13 (5) (a) for the same act.~~”.

7 **3.** Page 1635, line 23: after that line insert:

8 “**SECTION 3362m.** 950.04 (1v) (qm) of the statutes is repealed.”.

9 **4.** Page 1636, line 14: after that line insert:

10 “**SECTION 3364g.** 969.13 (4) of the statutes is amended to read:

11 969.13 (4) Notice of the order of forfeiture under sub. (1) shall be mailed
12 forthwith by the clerk to the defendant and the defendant’s sureties at their last
13 addresses. If the defendant does not appear and surrender to the court within 30
14 days from the date of the forfeiture and within such period the defendant or the
15 defendant’s sureties do not satisfy the court that appearance and surrender by the
16 defendant at the time scheduled for the defendant’s appearance was impossible and
17 without the defendant’s fault, the court shall upon motion of the district attorney
18 enter judgment for the state against the defendant and any surety for the amount
19 of the bail and costs of the court proceeding. ~~Proceeds~~ Except as provided in sub. (5),
20 proceeds of the judgment shall be paid to the county treasurer. The motion and such
21 notice of motion as the court prescribes may be served on the clerk who shall
22 forthwith mail copies to the defendant and the defendant’s sureties at their last
23 addresses.



ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 75

- 1 At the locations indicated, amend the substitute amendment as follows: ✓
- 2 1. Page 1667, line 4: delete lines 4 to 7. ✓
- 3 2. Page 1701, line 7: delete lines 7 to 16. ✓
- 4 3. Page 1706, line 14: delete that line.
- 5 4. Page 1706, line 19: delete the material beginning with that line and ending
- 6 on page 1707, line 20. ✓
- 7 5. Page 1714, line 4: delete that line.

8

(END)

Jacket Cover Sheet

LRB No.: **09b0755/1**

Requester: **Rep. Scott Suder**

Victims First

Requester Label:

Delete recompense provisions from budget

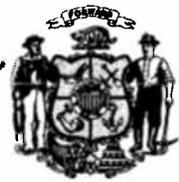
Legislative Topic:

Recompense

RUSH!
Jacket returned

Drafter Contact Info:

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2 1. Page 1667, line 4: delete lines 4 to 7.

3 2. Page 1701, line 7: delete lines 7 to 16.

4 3. Page 1706, line 14: delete that line.

5 with page 1707, line 20.

6 4. Page 1714, line 4: delete that line.

7 Page 1706, ^(END) line 19: delete the material beginning with that line and ending with page 1707, line 20.