



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU


Appendix A

LRB BILL HISTORY RESEARCH APPENDIX

 The drafting file for 2011 LRB-0593/P1 (For: Leg. Council)

has been copied/added to the drafting file for


2011 LRB-3433 (For: Leg. Council)

 Are These “Companion Bills” ?? ... No



RESEARCH APPENDIX -
PLEASE KEEP WITH THE DRAFTING FILE

Date Transfer Requested: 11/07/2011 (Per: EVM)

 The attached draft was incorporated into the new draft listed above. For research purposes the attached materials were added, as a appendix, to the new drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2011 DRAFTING REQUEST

Bill

Received: 11/23/2010

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB:

For: **Legislative Council - LRC**

By/Representing: **Laura Rose**

May Contact:

Drafter: **emueller**

Subject: **Drunk Driving - penalties**

Addl. Drafters:

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **laura.rose@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Extending revocations due to jail time ordered.

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>
/?							
/P1	emueller 12/14/2010	edt_keagan 12/17/2010	rschluet 12/17/2010	_____	sbasford 12/17/2010		

FE Sent For:

<END>

2011 DRAFTING REQUEST

Bill

Received: 11/23/2010

Received By: emueller

Wanted: As time permits

Companion to LRB:

For: Legislative Council - LRC

By/Representing: Laura Rose

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1?	emueller	1/1 KPC 12/16/10		_____			
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1P1	EVA 12/14/10	1/1 JLD 12/17		_____			
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FE Sent For:

<END>

REMEDIAL LEGISLATIVE PROPOSAL

Wisconsin Department of Transportation

DT1605 10/2006 s.13.83(1)(c)4 Wis. Stats.

Instructions: Complete this form for **Law Revision Committee Remedial Legislative proposal(s)** for which a Division requests Secretary's Office (SO) approval. This form must be signed by the Division Administrator.

Short Title of Issue Extending Revocations Due to Jail Time Ordered	
Date Submitted September 29, 2010	Division Motor Vehicles
Lead Division Contact Person Rick Kleist	Area Code - Telephone Number 608-266-1449
Specific Statutory Change S.343.30(1r) requires the court to extend the revocation period it ordered under s.343.30(1q) by the number of days the court sentences a person to jail or prison for an offense related to the refusal. The word refusal should be changed to a reference to the conviction resulting from the offense causing the revocation.	
Administrative Problem with Current Statute The reference to the "refusal" is confusing and doesn't seem to apply to this section.	
Justification/Need for Change S.343.30(1q) refers to convictions for violations of operating under the influence of an intoxicant, not refusal to submit to a test for intoxication. The word "refusal" does not seem appropriate as s.343.30(1q) does not refer to refusals.	
Fiscal Effect, if Any	

(Division Administrator Signature – Brush Script Font if Computer Filled) (Date)

OPBF Completes: DOT Remedial Legislation Proposal Number
R1113-01



in 12/16/10
State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0593/P1

EVM:.....

kpe + JLD
RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 12/14/10

SA ✓
Kref ✓

Gen ✓

- 1 AN ACT ...; relating to: technical changes that affect the period of revocation of
- 2 a person's operating privilege (suggested as remedial legislation by the
- 3 Department of Transportation).

Analysis by the Legislative Reference Bureau

Under current law, if a court orders revocation of a person's operating privilege for certain offenses, the court must extend the revocation period by the number of days to which the court sentences the person to imprisonment for a related offense. A related offense under this provision is erroneously described as "an offense related to the refusal." This bill corrects the erroneous reference to a refusal by substituting the word "revocation."

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Transportation and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 ~~X~~
SECTION 1. 343.30 (1r) of the statutes is amended to read:

2 343.30 (1r) For any revocation the court orders under sub. (1q), the court shall
3 extend the revocation period by the number of days to which the court sentences the
4 person to imprisonment in a jail or prison for an offense related to the ~~refusal~~[✓]
5 revocation.[✓]

History: 1971 c. 213 s. 5; 1971 c. 278; 1973 c. 70, 218; 1975 c. 5; 1975 c. 184 s. 13; 1975 c. 199, 297, 421; 1977 c. 29 s. 1654 (7) (a), (c); 1977 c. 30, 64, 193, 203; 1979 c. 221, 300, 331, 333, 355; 1981 c. 20; 1981 c. 79 s. 18; 1983 a. 17; 1983 a. 74 ss. 23m to 26, 32; 1983 a. 192; 1985 a. 80, 176, 337; 1987 a. 3, 17, 285; 1987 a. 332 s. 64; 1989 a. 7, 31, 105, 121, 336; 1991 a. 39, 251, 277, 316; 1993 a. 16, 227, 317; 1995 a. 27, 77, 269, 338, 401, 425, 448; 1997 a. 35, 84, 135, 237, 283; 1999 a. 32, 109, 143; 2001 a. 15, 16, 38; 2003 a. 30, 80; 2005 a. 277; 2005 a. 443 s. 265; 2005 a. 466; 2007 a. 20 ss. 3300, 9121 (6) (a); 2007 a. 134; 2009 a. 100, 102, 103, 402.

6

(END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0593/P1
EVM:kpe&jld:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- 1 **AN ACT to amend** 343.30 (1r) of the statutes; **relating to:** technical changes that
2 affect the period of revocation of a person's operating privilege (suggested as
3 remedial legislation by the Department of Transportation).

Analysis by the Legislative Reference Bureau

Under current law, if a court orders revocation of a person's operating privilege for certain offenses, the court must extend the revocation period by the number of days to which the court sentences the person to imprisonment for a related offense. A related offense under this provision is erroneously described as "an offense related to the refusal." This bill corrects the erroneous reference to a refusal by substituting the word "revocation."

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