

ASSEMBLY BILL 263 (LRB -2470)

An Act to create 973.06 (1) (av) of the statutes; relating to: costs associated with providing false information to a law enforcement officer. (FE)

2011

09-15. A. Introduced by Representatives **Knodl, Krug, Bies, Brooks, Jacque, Kerkman, Kuglitsch, Marklein, Mursau, Rivard, Sinicki, Strachota and Stroebel**; cosponsored by Senators **Darling, Galloway, Lassa, Schultz and Wanggaard**.

09-15. A. Read first time and referred to committee on Criminal Justice and Corrections 516

09-29. A. Fiscal estimate received.

09-29. A. Fiscal estimate received.

09-30. A. Fiscal estimate received.

10-06. A. Public hearing held.

10-17. A. **Assembly amendment 1** offered by Representatives Knodl and Krug (**LRB a1589**) 565

10-19. A. Executive action taken.

10-20. A. Report Assembly Amendment 1 adoption recommended by committee on Criminal Justice and Corrections, Ayes 8, Noes 1 588

10-20. A. Report passage as amended recommended by committee on Criminal Justice and Corrections, Ayes 9, Noes 0 588

10-20. A. Referred to committee on Rules 588

10-20. A. Placed on calendar 10-25-2011 by committee on Rules.

10-25. A. Read a second time 610

10-25. A. **Assembly amendment 1 adopted** 610

10-25. A. Ordered to a third reading 610

10-25. A. Rules suspended 610

10-25. A. Read a third time and **passed** 610

10-25. A. Ordered immediately messaged 610

10-26. S. Received from Assembly 541

10-26. S. Read first time and referred to committee on Judiciary, Utilities, Commerce, and Government Operations 542

2012

02-22. S. Public hearing held.

02-28. S. Executive action taken.

02-28. S. Report concurrence recommended by committee on Judiciary, Utilities, Commerce, and Government Operations, Ayes 5, Noes 0 743

02-28. S. Available for scheduling.

03-06. S. Placed on calendar 3-7-2012 pursuant to Senate Rule 18(1).

03-07. S. Read a second time.

03-07. S. Ordered to a third reading.

03-07. S. Rules suspended.

03-07. S. Read a third time and **concurred in**.

03-07. S. Ordered immediately messaged.

03-07. A. Received from Senate concurred in 898

JP

2011
ENROLLED BILL

11en AB-263

ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

11-2470/1

Amendments to above (if none, write "NONE"): AA1 — a 1589/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-8-12
Date

J Schille
Enrolling Drafter



2011 ASSEMBLY BILL 263

September 15, 2011 – Introduced by Representatives KNODL, KRUG, BIES, BROOKS, JACQUE, KERKMAN, KUGLITSCH, MARKLEIN, MURSAU, RIVARD, SINICKI, STRACHOTA and STROEBEL, cosponsored by Senators DARLING, GALLOWAY, LASSA, SCHULTZ and WANGGAARD. Referred to Committee on Criminal Justice and Corrections.

1 **AN ACT** *to create* 973.06 (1) (av) of the statutes; **relating to:** costs associated
2 with providing false information to a law enforcement officer.

Analysis by the Legislative Reference Bureau

Under current law, a person who is convicted of a crime may be assessed certain costs associated with his or her crime. Current law allows a court to assess costs and fees incurred in connection with the arrest, preliminary examination, and trial of the person, but generally, a person may not be assessed the costs of routine investigations. Under current law, a person who is convicted of certain crimes may be assessed specific costs that are related to those particular crimes.

Under this bill, a person who is convicted of obstructing a law enforcement officer by providing false information to the officer or placing physical evidence with the intent to mislead the officer may be assessed the costs incurred by the law enforcement agency when it investigated or responded to the false information or evidence.

For further information see the *state and local* 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:

3 **SECTION 1.** 973.06 (1) (av) of the statutes is created to read:

ASSEMBLY BILL 263

SECTION 1

INSERT AA1-1

1 973.06 (1) (av) If the defendant violated s. 946.41 by obstructing an officer, the
2 reasonable costs expended by a state or local law enforcement agency or emergency
3 response agency to respond to or investigate the false information that the defendant
4 provided or the physical evidence that the defendant placed. Costs allowable under
5 this paragraph may include personnel costs and costs associated with the use of
6 police or emergency response vehicles.

(END)

INSERT AA1-2

7



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1589/1
PJH:med:jf

ASSEMBLY AMENDMENT 1,
TO 2011 ASSEMBLY BILL 263

October 17, 2011 - Offered by Representatives KNODL and KRUG.

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

2 1. Page 2, line 1: delete "If" and substitute "1. Except as provided in subd. 2.,
3 if".

AA1-1

4 2. Page 2, line 6: after that line insert: "2. No costs may be taxable against
5 a defendant under this paragraph if any of the following applies:

AA1-2

6 a. The defendant was charged under s. 946.41 solely because he or she recanted
7 a report of abusive conduct, including interspousal battery, as described under s.
8 940.19 or 940.20 (1m), domestic abuse, as defined in s. 49.165 (1) (a), 813.12 (1) (am),
9 or 968.075 (1) (a), harassment, as defined in s. 813.125 (1), sexual exploitation by a
10 therapist under s. 940.22, sexual assault under s. 940.225, child abuse, as defined
11 under s. 813.122 (1) (a), or child abuse under ss. 948.02 to 948.11.

12 b. The defendant was a victim of abusive conduct, including interspousal
13 battery, as described under s. 940.19 or 940.20 (1m), domestic abuse, as defined in

1 s. 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined in s.
2 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault under
3 s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss.
4 948.02 to 948.11, and he or she was charged under s. 946.41 based on information he
5 or she omitted or false information he or she provided during the course of an
6 investigation into the crime committed against him or her.

7 c. The defendant was charged under s. 946.41 solely because his or her report
8 did not lead to criminal charges against, or a conviction of, another person.”

9 (END)