



**SENATE AMENDMENT 2,
TO 1995 ASSEMBLY BILL 211**

January 23, 1996 – Offered by COMMITTEE ON JUDICIARY.

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

2 **1.** Page 1, line 3: before “cases” insert “and forfeiture”.

3 **2.** Page 1, line 4: before that line insert:

4 **“SECTION 1c.** 23.77 (1) of the statutes is amended to read:

5 23.77 (1) If in circuit court either party files a written demand for a jury trial
6 within 20 days after the court appearance date and immediately pays the fee
7 prescribed in s. 814.61 (4), the court shall place the case on the jury calendar. The
8 number of jurors shall be determined under s. 756.096 (3) (b). If no party demands
9 a trial by jury of 12, the right to trial by jury of 12 is permanently waived forever.

10 **SECTION 1f.** 23.77 (2) of the statutes is repealed.

11 **SECTION 1h.** 23.77 (3) (a) of the statutes is amended to read:

12 23.77 (3) (a) If there is a demand for a trial by jury of ~~6~~, the provisions of s.
13 345.43 (3) (a) and (b) are applicable.

14 **SECTION 1j.** 345.43 (1) of the statutes is amended to read:

15 345.43 (1) If a case has been transferred under s. 800.04 (1) (d), or if in circuit
16 court either party files a written demand for a jury trial within 10 days after the

1 defendant enters a plea of not guilty under s. 345.34 and immediately pays the fee
2 prescribed in s. 814.61 (4), the court shall place the case on the jury calendar of the
3 circuit court. The number of jurors shall be determined under s. 756.096 (3) (b). If
4 no party demands a trial by a jury of ~~12~~, the right to trial by a jury of ~~12~~ is
5 permanently waived forever.

6 **SECTION 1k.** 345.43 (2) of the statutes is repealed.

7 **SECTION 1m.** 345.43 (3) (a) of the statutes is amended to read:

8 345.43 (3) (a) If a jury of less than 12 persons is demanded, in counties having
9 a population of 500,000 or more, the jury shall be drawn from the circuit court jury
10 panel and selected as set forth under chs. 801 to 847. In all other counties, such juries
11 shall be selected as provided in pars. (b) and (c), except that any party may demand
12 trial by a countywide jury and that the clerk shall select, by lot, the names of
13 sufficient persons qualified to serve as jurors as will provide to each party entitled
14 to peremptory challenges the number of challenges specified in par. (b).

15 **SECTION 1r.** 345.43 (3) (b) of the statutes is amended to read:

16 345.43 (3) (b) If a timely demand for a jury of less than 12 persons is made, the
17 judge shall direct the clerk of the court to select by lot from the current jury panel
18 the names of a sufficient number of residents of the county qualified to serve as jurors
19 in courts of record, from which lists either party may strike 5 names. If either party
20 neglects to strike out names, the clerk shall strike out names for the party. The judge
21 shall permit voir dire examinations and challenges for cause. The clerk shall
22 summon a sufficient number of persons whose names are not struck out, to appear
23 at the time and place named in the summons.”.

24 **3.** Page 1, line 4: delete “**SECTION 1**” and substitute “**SECTION 1w**”.

