



State of Wisconsin
2005 - 2006 LEGISLATURE

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**ASSEMBLY AMENDMENT 1,
TO 2005 ASSEMBLY BILL 974**

February 7, 2006 – Offered by Representative KESSLER.

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

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

3 “**SECTION 1b.** 51.30 (4) (b) 10m. of the statutes is repealed.

4 **SECTION 1e.** 115.31 (2g) of the statutes is amended to read:

5 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall
6 revoke a license granted by the state superintendent, without a hearing, if the
7 licensee is convicted of any Class A, AB, B, C, or D felony under ch. 940 or 948, except
8 ss. 940.08 and 940.205, for a violation that occurs on or after September 12, 1991, or
9 any Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205,
10 for a violation that occurs on or after February 1, 2003.

11 **SECTION 1g.** 118.19 (4) (a) of the statutes is amended to read:

12 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent
13 may not grant a license, for 6 years following the date of the conviction, to any person

1 who has been convicted of any Class A, AB, B, C, or D felony under ch. 940 or 948,
2 except ss. 940.08 and 940.205, or of an equivalent crime in another state or country,
3 for a violation that occurs on or after September 12, 1991, or any Class E, F, G, or H
4 felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a violation that occurs
5 on or after February 1, 2003. The state superintendent may grant the license only
6 if the person establishes by clear and convincing evidence that he or she is entitled
7 to the license.

8 **SECTION 1j.** 302.113 (9g) (b) (intro.) of the statutes is amended to read:

9 302.113 (9g) (b) (intro.) An inmate who is serving a bifurcated sentence for a
10 crime other than a Class AB or B felony may seek modification of the bifurcated
11 sentence in the manner specified in par. (f) if he or she meets one of the following
12 criteria:

13 **SECTION 1mb.** 938.355 (4) (b) of the statutes is amended to read:

14 938.355 (4) (b) Except as provided in s. 938.368, an order under s. 938.34 (4d)
15 or (4m) made before the juvenile reaches 18 years of age may apply for up to 2 years
16 after its entry or until the juvenile's 18th birthday, whichever is earlier, unless the
17 court specifies a shorter period of time or the court terminates the order sooner.
18 Except as provided in s. 938.368, an order under s. 938.34 (4h) made before the
19 juvenile reaches 18 years of age shall apply for 5 years after its entry, if the juvenile
20 is adjudicated delinquent for committing a violation of s. 943.10 (2) or for committing
21 an act that would be punishable as a Class AB, B, or C felony if committed by an
22 adult, or until the juvenile reaches 25 years of age, if the juvenile is adjudicated
23 delinquent for committing an act that would be punishable as a Class A felony if
24 committed by an adult. Except as provided in s. 938.368, an extension of an order
25 under s. 938.34 (4d), (4h), (4m), or (4n) made before the juvenile reaches 17 years of

1 age shall terminate at the end of one year after its entry unless the court specifies
2 a shorter period of time or the court terminates the order sooner. No extension under
3 s. 938.365 of an original dispositional order under s. 938.34 (4d), (4h), (4m), or (4n)
4 may be granted for a juvenile who is 17 years of age or older when the original
5 dispositional order terminates.

6 **SECTION 1md.** 938.396 (2) (e) of the statutes is repealed.

7 **SECTION 1mg.** 939.50 (1) (am) of the statutes is created to read:

8 939.50 (1) (am) Class AB felony.

9 **SECTION 1i.** 939.50 (2) of the statutes is amended to read:

10 939.50 (2) A felony is a Class A, AB, B, C, D, E, F, G, H, or I felony when it is
11 so specified in the statutes.

12 **SECTION 1mk.** 939.50 (3) (am) of the statutes is created to read:

13 939.50 (3) (am) For a Class AB felony, imprisonment not to exceed 65 years.

14 **SECTION 1mm.** 948.02 (1) of the statutes is amended to read:

15 948.02 (1) FIRST DEGREE SEXUAL ASSAULT. Whoever has sexual contact or sexual
16 intercourse with a person who has not attained the age of 13 years is guilty of a Class
17 B AB felony.

18 **SECTION 1mo.** 948.025 (1) (a) of the statutes is amended to read:

19 948.025 (1) (a) A Class B AB felony if at least 3 of the violations were violations
20 of s. 948.02 (1).

21 **SECTION 1rb.** 973.01 (2) (b) 1. of the statutes is renumbered 973.01 (2) (b) 2.

22 **SECTION 1rd.** 973.01 (2) (b) 1m. of the statutes is created to read:

23 973.01 (2) (b) 1m. For a Class AB felony, the term of confinement in prison may
24 not exceed 45 years.

25 **SECTION 1rf.** 973.01 (2) (b) 10. a. of the statutes is amended to read:

1 973.01 (2) (b) 10. a. A felony specified in subds. ~~1.~~ 1m. to 9.

2 **SECTION 1rh.** 973.01 (2) (d) 1. of the statutes is amended to read:

3 973.01 (2) (d) 1. For a Class AB or B felony, the term of extended supervision
4 may not exceed 20 years.

5 **SECTION 1rj.** 973.03 (3) (e) 1. of the statutes is amended to read:

6 973.03 (3) (e) 1. A crime which is a Class A, AB, B, or C felony.

7 **SECTION 1rL.** 973.195 (1r) (a) of the statutes is amended to read:

8 973.195 (1r) (a) An inmate who is serving a sentence imposed under s. 973.01
9 for a crime other than a Class AB or B felony may petition the sentencing court to
10 adjust the sentence if the inmate has served at least the applicable percentage of the
11 term of confinement in prison portion of the sentence. If an inmate is subject to more
12 than one sentence imposed under this section, the sentences shall be treated
13 individually for purposes of sentence adjustment under this subsection.

14 **SECTION 1rn.** 980.015 of the statutes is repealed.

15 **SECTION 1rp.** 980.02 (1) (a) of the statutes is amended to read:

16 980.02 (1) (a) The department of justice at the request of the agency with
17 ~~jurisdiction, as defined in s. 980.015 (1), over~~ the authority or duty to release or
18 discharge the person. If the department of justice decides to file a petition under this
19 paragraph, it shall file the petition before the date of the release or discharge of the
20 person.

21 **SECTION 1rs.** 980.02 (6) of the statutes is created to read:

22 980.02 (6) No petition may be filed under this section on or after the effective
23 date of this subsection [revisor inserts date].”.

24

(END)