



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa1199/1
JK:cjs

**SENATE AMENDMENT 6,
TO ASSEMBLY BILL 388**

November 6, 2015 - Offered by Senators RISSER, SHILLING, C. LARSON, RINGHAND, BEWLEY, VINEHOUT, MILLER, ERPENBACH, HANSEN, CARPENTER and HARRIS DODD.

- 1 At the locations indicated, amend the engrossed bill as follows:
- 2 **1.** Page 8, line 9: delete “where the defendant resides, or” and substitute
3 “~~where the defendant resides, or~~”.
- 4 **2.** Page 8, line 10: delete that line and substitute “~~if the defendant is a~~
5 ~~nonresident of this state, in circuit court for the county wherein~~”.
- 6 **3.** Page 8, line 11: delete the material beginning with “For” and ending with
7 “county.” on line 13, and substitute “~~For purposes of this paragraph, a person other~~
8 ~~than a natural person resides within a county if the person’s principal place of~~
9 ~~operation is located within that county.~~”.
- 10 **4.** Page 12, line 2: delete “person” and substitute “person”.
- 11 **5.** Page 12, line 3: delete “resides” and substitute “resides alleged violation
12 occurred”.

1 **6.** Page 12, line 4: delete the material beginning with “For” and ending with
2 “that county.” on line 6 and substitute “~~For purposes of this subdivision, a person~~
3 ~~other than a natural person resides within a county if the person’s principal place of~~
4 ~~operation is located within that county.”.~~

5 **7.** Page 12, line 11: delete “of the county in which the specific person”.

6 **8.** Page 12, line 12: delete “resides”.

7 **9.** Page 14, line 9: after that line insert:

8 “**SECTION 21m.** 5.05 (2m) (c) 11. of the statutes is amended to read:

9 5.05 (**2m**) (c) 11. If the ~~board~~ commission finds that there is probable cause to
10 believe that a violation under subd. 2. has occurred or is occurring, the ~~board~~
11 commission may, in lieu of civil prosecution of any matter by the ~~board~~ commission,
12 refer the matter to the ~~district attorney for the county in which the alleged violator~~
13 ~~resides, or if the alleged violator is a nonresident, to the district attorney for the~~
14 county where the matter arises, or if par. (i) applies, to the attorney general or a
15 special prosecutor. ~~For purposes of this subdivision, a person other than a natural~~
16 ~~person resides within a county if the person’s principal place of operation is located~~
17 ~~within that county.”.~~

18 **10.** Page 56, line 10: delete lines 10 to 16 and substitute:

19 “11.60 (4) Except as otherwise provided in ss. ~~5.05 (2m) (c) 15. and 16. and (h),~~
20 ~~5.08, and 5.081~~ 19.49 (2) (b) 13. and 14. and (g), and 19.554, actions under this section
21 may be brought by the ~~board~~ commission or by the district attorney for the county
22 where the defendant resides or, if the defendant is a nonresident, by the district
23 attorney for the county where the violation is alleged to have occurred. ~~For purposes~~

1 of this subsection, a person other than a natural person resides within a county if the
2 person's principal place of operation is located within that county.”.

3 **11.** Page 56, line 18: delete lines 18 to 24 and substitute:

4 “11.61 (2) Except as otherwise provided in ss. ~~5.05 (2m) (c) 15. and 16. and (i),~~
5 ~~5.08, and 5.081~~ 19.49 (2) (b) 13. and 14. and (h), and 19.554, all prosecutions under
6 this section shall be conducted by the district attorney for the county where the
7 defendant resides or, if the defendant is a nonresident, by the district attorney for the
8 county where the violation is alleged to have occurred. For purposes of this
9 subsection, a person other than a natural person resides within a county if the
10 person's principal place of operation is located within that county.”.

11 **12.** Page 81, line 5: delete that line.

12 **13.** Page 81, line 6: delete “state, in circuit court”.

13 **14.** Page 81, line 6: delete the material beginning with “occur. For” and ending
14 with “that county.” on line 8 and substitute “occur.”.

15 **15.** Page 83, line 13: delete “person resides” and substitute “alleged violation
16 occurred”.

17 **16.** Page 83, line 15: delete the material beginning with “For” and ending with
18 “that county.” on line 17.

19 **17.** Page 83, line 22: delete “specific person resides” and substitute “alleged
20 violation occurred”.

21 **18.** Page 86, line 9: delete the material beginning with “in which” and ending
22 with “the county” on line 10.

1 **19.** Page 86, line 11: delete the material beginning with “For” and ending with
2 “that county.” on line 13.

3 **20.** Page 114, line 12: after that line insert:

4 “**SECTION 263d.** 801.50 (5t) of the statutes is amended to read:

5 801.50 **(5t)** Except as otherwise provided in ss. 801.52 and 971.223 (1) and (2),
6 venue in a civil action to impose a forfeiture upon a resident of this state for a
7 violation of chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, or for a violation
8 of any other law arising from or in relation to the official functions of the subject of
9 the investigation or any matter that involves elections, ethics, or lobbying regulation
10 under chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, shall be in circuit court
11 for the county where the defendant resides. ~~For purposes of this subsection, a person~~
12 ~~other than a natural person resides within a county if the person’s principal place of~~
13 ~~operation is located within that county~~ alleged violation occurred. This subsection
14 does not affect which prosecutor has responsibility under s. 978.05 (2) to prosecute
15 civil actions arising from violations under s. 971.223 (1).

16 **SECTION 263e.** 971.19 (12) of the statutes is amended to read:

17 971.19 **(12)** Except as provided in s. 971.223, in an action for a violation of chs.
18 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, or for a violation of any other law
19 arising from or in relation to the official functions of the subject of the investigation
20 or any matter that involves elections, ethics, or lobbying regulation under chs. 5 to
21 12, subch. III of ch. 13, or subch. III of ch. 19 a defendant who is a resident of this state
22 shall be tried in circuit court for the county where the defendant resides. ~~For~~
23 ~~purposes of this subsection, a person other than a natural person resides within a~~

1 ~~county if the person's principal place of operation is located within that county~~
2 alleged violation occurred."

3 (END)