



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Senate Bill 104

Assembly Amendment 1

Memo published: March 8, 2012

Contact: Anne Sappenfield, Senior Staff Attorney (267-9485)

Senate Bill 104 requires persons who violate certain restraining orders to be monitored by a global positioning system (GPS).

The bill provides that, if a person knowingly violates domestic abuse or harassment temporary restraining order (TRO) or injunction, in addition to any other penalties provided, the court may report the violation to the Department of Corrections immediately upon the person's conviction and may order the person to submit to GPS system tracking.

Before issuing the order for GPS tracking, the court must find that the person is more likely than not to cause serious bodily harm to the person who petitioned for the TRO or injunction weighing factors listed in the bill.

The bill imposes a \$200 surcharge on a person who violates a TRO or injunction. The proceeds from the surcharge are used toward the cost of GPS tracking.

The bill takes effect on the first day of the 6th month beginning after publication except that the provisions creating the surcharge for GPS tracking take effect on the day after publication.

Assembly Amendment 1 makes corrections to the bill in places where changes made by Senate amendments to the bill created provisions that do not make sense and do not meet the intent of the amendments.

The amendment also modifies the effective date of the bill so that it becomes effective on January 1, 2014, and the provisions relating to the surcharge become effective on July 1, 2013.

Legislative History

On March 6, 2012, the Assembly adopted Assembly Amendment 1 by voice vote and concurred in the bill, as amended, on a vote of Ayes, 97; Noes, 0.

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