



2005 ASSEMBLY BILL 62

February 1, 2005 - Introduced by Representatives GUNDRUM, ZIEGELBAUER, GUNDERSON, VRAKAS, NASS, HINES, MUSSER, MCCORMICK, BIES, TOWNSEND, AINSWORTH, ALBERS, HAHN and HUNDERTMARK, cosponsored by Senators A. LASEE, OLSEN and LASSA. Referred to Committee on Judiciary.

1 **AN ACT** *to create* 941.39 and 973.049 of the statutes; **relating to:** sentencing
2 discretion of a court and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law gives a court the authority to require or prohibit specified conduct during the defendant's terms of parole, probation, or extended supervision.

This bill adds to the court's existing authority and permits a court authority over the defendant's conduct during his or her term of confinement in prison or jail following a felony conviction. When imposing a sentence, the court may decide, in the interest of public protection, to prohibit a defendant, during any part of the defendant's sentence, from contacting victims of the crime or other actors in the crime for which the defendant is being sentenced. This bill also specifies that the court may prohibit the same contact in probation cases. If the defendant intentionally violates the prohibition, he or she may be found guilty of a Class A misdemeanor and may be subject to a fine not to exceed \$10,000 or imprisonment not to exceed nine months or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

