

1999 DRAFTING REQUEST

Bill

Received: 12/7/98

Received By: olsenje

Wanted: As time permits

Identical to LRB:

For: Bonnie Ladwig (608) 266-9171

By/Representing: Judy

This file may be shown to any legislator: NO

Drafter: olsenje

May Contact:

Alt. Drafters:

Subject: Criminal Law - sentencing

Extra Copies:

Topic:

Burglary of an occupied dwelling

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
I?	olsenje 12/12/98	ygeller 12/14/98		_____			
/1			martykr 12/14/98	_____	lrb-docadmin 12/14/98	lrb-docadmin 01/8/99	

FE Sent For:

Not Needed

<END>

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I?	olsenje 12/12/98	jgeller 12/14/98		_____			
/1			martykr 12/14/98	_____	lrb_docadmin 12/14/98		

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<END>

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1/?	olsenje	1 12/14 JLG	KM 12/14	HH 12/14 KM 14			

FE Sent For:

<END>

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1999

Date (time) needed \_\_\_\_\_

LRB - 1142 1 1

BILL

D-Note

JED : JG :

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . . of the statutes; relating to: .....

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[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

I

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:

For the main heading [old =M], execute: ..... create → anal: → title: → head

For the subheading [old =S], execute: ..... create → anal: → title: → sub

For the sub-subheading [old =P], execute: ..... create → anal: → title: → sub-sub

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.

Handwritten scribble



~~1997 ASSEMBLY BILL 411~~

June 10, 1997 - Introduced by Representatives LADWIG, DOBYNS, ALBERS, BAUMGART, HASENOHRL, HOVEN, OWENS, PORTER, SERATTI, STASKUNAS, SYKORA and VRAKAS, cosponsored by Senators C. POTTER, FITZGERALD, ROSENZWEIG and WELCH. Referred to Committee on Criminal Justice and Corrections.

0 ~~AN ACT to create~~ 939.622 of the statutes, relating to: burglary and providing  
2 a penalty. ✓

**Analysis by the Legislative Reference Bureau**

Under current law, a person is guilty of burglary if he or she intentionally enters a building, dwelling or certain other places without the consent of the person in lawful possession of the building, dwelling or other place and with intent to steal or commit a felony in the building, dwelling or other place. A person convicted of burglary may be fined not more than \$10,000 or imprisoned for not more than 10 years or both, except that the person may be imprisoned for not more than 40 years if he or she commits the burglary while armed, commits a battery during the burglary on a person lawfully inside the building, dwelling or other place, or uses explosives to open a depository in the building, dwelling or other place. <sup>ten</sup>

This bill provides that the maximum prison term for burglary may be increased by not more than <sup>five</sup> years if the place that is burglarized is a dwelling and if another person was lawfully present in the dwelling at the time of the burglary.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

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X  
SECTION 1. 939.622 of the statutes is created to read:

committed before December 31, 1999,

ANALYSIS INSERT

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**ASSEMBLY BILL 411**

**SECTION 1**

1

**939.622 Increased penalty; burglary of an occupied dwelling.** If a

2 person is convicted of violating s. 943.10, the maximum term of imprisonment for the  
3 crime may be increased by not more than % years if all of the following apply:

4 (1) The burglarized enclosure is a dwelling.

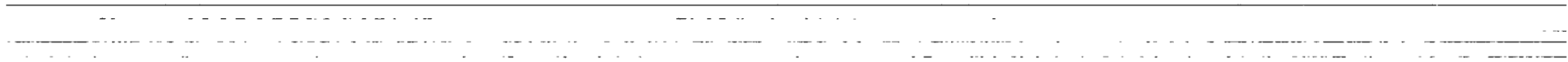
5 (2) Another person was lawfully present in the dwelling at the time of the  
6 violation.

7 **SECTION 2. Initial applicability.**

8 (1) This act applies to offenses committed on or after the effective date of this  
9 subsection.

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(END) ✓



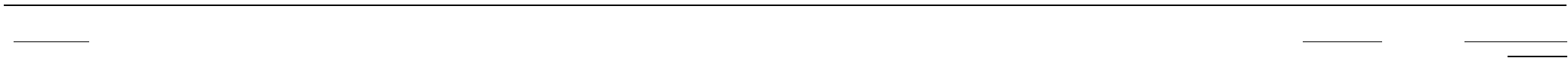
1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1142/lins  
JEO:.....

**ANALYSIS INSERT:**

120  
9

A person convicted of a burglary committed on or after December 31, 1999, <sup>✓</sup> may be fined not more than \$10,000 or imprisoned for not more than 15 years or both, except that the person may be imprisoned for not more than 60 years if he or she commits the burglary while armed, commits a battery during the burglary on a person lawfully inside the building, dwelling or other place, or uses explosives to open a depository in the building, dwelling or other place.



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JED : jlg :

D-Note

⌘ This is a redraft of 1997

Assembly Bill 411. ✓

JED

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1142/1dn  
JEO;jlg:km

December 14, 1998

This is a redraft of 1997 Assembly Bill 411.

Jefren E. Olsen  
Legislative Attorney  
26643906



12  
+ 14  
= 26  
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**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

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The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

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**Date:** 12/14/98

**To:** Representative Ladwig

**Relating to LRB drafting number:** LRB-1142

**Topic**

Burglary of an occupied dwelling

**Subject(s)**

Criminal Law - sentencing

1. **JACKET** the draft for introduction

Bernie Ladwig

**in the Senate or the Assembly**  (check only one). Only the requester under whose name the

drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-356 1. If you have any questions relating to the attached draft, please feel free to call me.

Jefren E. Olsen, Legislative Attorney  
Telephone: (608) 2668906

12-2-1

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