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1999 DRAFTINGREQUEST

**Assembly Substitute Amendment (ASA-AB37)**

Received: **09/11/1999**

Received By: **olsenje**

Wanted: **As time permits**

Identical to LRB:

For: **Robert Goetsch (608) 266-2540**

By/Representing: **Kent**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters: **mdsida**

Subject: **Criminal Law - miscellaneous**

Extra Copies: **PJD**

**Pre Topic:**

No specific pre topic given

**Topic:**

CPSC reconciliation

**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>
/1	olsenje 09/13/1999	chanaman 09/13/1999	haugeca 09/14/1999	_____	lrb-docadmin 09/14/1999	lrb-docadmin 09/14/1999	

FE Sent For:

<END>



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1/?	olsenje	1/1 WLj 9/13	CH 9-14	CH 9-14 <del>JK</del>			

FE Sent For:

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State of Wisconsin  
1999 - 2000 LEGISLATURE

by Tues 9/14 9:00 am

LRBs0119/1  
MGD JEO.....  
wls

**ASSEMBLY SUBSTITUTE AMENDMENT,  
TO 1999 ASSEMBLY BILL 37**

WFO: Please  
call

Gen Cat

1 AN ACT *h* relating to: burglary and providing a penalty

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

2 SECTION 1. 939.626<sup>✓</sup> of the statutes is created to read:

3 **939.626 Increased penalty; burglary of an occupied dwelling.** If a  
4 person is convicted of violating s. 943.10<sup>✓</sup>, the maximum term of imprisonment for the  
5 crime may be increased by not more than 5 years if all of the following apply:

- 6 (1) The burglarized enclosure is a dwelling.
- 7 (2) Another person was lawfully present in the dwelling at the time of the
- 8 violation.

9 SECTION 2. 939.626 of the statutes, as created by 1999 Wisconsin Act . . . . (this  
10 act), is renumbered 973.017 (4m)<sup>✓</sup>, and 973.017 (4m) (title)<sup>✓</sup>, (intro.)<sup>✓</sup> and (a)<sup>✓</sup>, as  
11 renumbered, are amended to read:

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1 973.017 (4m) (title) <sup>↓</sup> ~~INCREASED PENALTY AGGRAVATING FACTORS~~; BURGLARY OF AN  
 2 OCCUPIED DWELLING. <sup>(intro.)</sup> If When making a sentencing decision concerning a person is  
 3 convicted of violating s. 943.10, the ~~maximum term of imprisonment for the crime~~  
 4 ~~may be increased by not more than 5 years~~ <sup>of the following apply</sup> court shall  
 5 consider as an aggravating factor the fact that the violation was committed under all  
 6 of the following circumstances:

7 (a) The burglarized enclosure is was a dwelling.

8 **SECTION 3. Nonstatutory provisions.**

9 (1) RECONCILIATION PROVISION. The renumbering and amendment of section  
 10 939.626 of the statutes, as created by this act, and SECTION 4 <sup>AutoRef (A)</sup> (1), (2) and (3) <sup>AutoRef (C)</sup> of this  
 11 act are void unless 1999 Assembly Bill 465 <sup>AutoRef (B)</sup> is enacted into law before July 1, 2000,  
 12 and unless 1999 Assembly Bill 465 <sup>AutoRef (D)</sup> creates section 973.017 <sup>AutoRef (D)</sup> of the statutes in exactly  
 13 the same form as it appears in section 757 of 1999 Assembly Bill 465.

14 <sup>AR (A) ↓</sup> **SECTION 4. Effective dates.** This act takes effect on the day after publication,  
 15 except as follows:

16 <sup>AR (B) ↓</sup> (1) If 1999 Assembly Bill 465 <sup>↓</sup> has been enacted on or before the day after  
 17 publication of this act and the day after publication of this act is on or before  
 18 December 31, 1999, the renumbering and amendment of section 939.626 <sup>↓</sup> of the  
 19 statutes, as created by this act, takes effect on December 31, 1999.

20 <sup>AR (C) ↓</sup> (2) If 1999 Assembly Bill 465 <sup>↓</sup> has been enacted on or before the day after  
 21 publication of this act and the day after publication of this act is after December 31,  
 22 1999, the renumbering and amendment of section 939.626 <sup>↓</sup> of the statutes, as created  
 23 by this act, takes effect on the day after publication of this act.

24 <sup>AR (D) ↓</sup> (3) If 1999 Assembly Bill 465 is enacted after the day after publication of this  
 25 act but before July 1, 2000, the renumbering and amendment of section 939.626 <sup>↓</sup> of





1 the statutes, as created by this act, takes effect on December 31, 1999, or on the date  
2 that the creation of section 973.017<sup>↓</sup> of the statutes by 1999 Assembly Bill 465 takes  
3 effect, whichever is later.

4 (END)

