

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB221)

Received: **03/18/99**

Received By: **nelsorpl**

Wanted: **Soon**

Identical to LRB:

For: **Jeff Stone (608) 266-8590**

By/Representing:

This file may be shown to any legislator: NO

Drafter: **nelsorpl**

May Contact: **Person about OWI assessment and**

Alt. Drafters: **olsenje**

Subject: **Criminal Law - sentencing
Correctional System -jails
Drunk Driving - penalties**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Huber privileges for OWI offenders

Instructions:

Allow huber relaease for person who convicted of 2nd (maybe 3rd if not enough time) OWI offense if participate in alcohol assessment and treatment

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	nelsorp 1 03/19/99	chanaman 03/25/99	lpaasch 03/25/99	_____	lrb-docadmin 03/25/99	lrb-docadmin 03/25/99	

FE Sent For:

<END>

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I?	nelsorp 1	<i>cmh</i> 1 3/21	<i>325</i> L.P.	<i>3-25-99</i> <i>DN</i>			
FE Sent For:		<i>1 3/25/99</i>					

<END>

2-3 weeks after appt.

Assessment fee in Dane Co.
is \$185

The fee is paid up front.
No public money for
payment of assessment

Courts often allow persons
to go to jail after
assessment.

Huber is suppose to allow
person to go to assessment
and treatment

Voluntary assessments are often
done before conviction

People generally find it
money to pay for the
assessment

About 17% usually do
not show for 1st interview
for assessment. Not sure
what happens to them.

Allowed to pay in installment but
before the actual interview

12 13 14

Tails should be required
to allow persons to go
to their assessment & treatment

Surcharge - could a small
portion of that money to
pay for assessments of
indigents in jail

2
3
4



3/26 2pa
State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0227/1
RPN&JEO.....

cmr
+
jlg

**ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 221**

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 8: after "intoxicant;" insert "restrictions on prisoner release
3 from jail or prison;"

4 2. Page 4, line 4: after that line insert:

text
insert (5)

5 "SECTION 51.30 (4) (b) 25. of the statutes is created to read:

6 51.30 (4) (b) 25. To the department of corrections or to a sheriff, to determine
7 if a person incarcerated is complying with the assessment or the driver safety plan
8 ordered under s. 343.30 (1q) (c)."

text
insert (10)

9 3. Page 7, line 16: after that line insert:

10 "SECTION 303.065 (2m) of the statutes is created to read:

11 303.065 (2m) The department may not grant work release privileges to a
12 prisoner who is imprisoned for a violation of s. 346.63 (1), (2), (5) or (6) and who fails
13 to obtain the assessment or to comply with the driver safety plan ordered under s.

1

2

3

1 343.30 (lq) (c) related to the violation for which he or she was imprisoned. This
 2 subsection does not apply if the prisoner does not have sufficient funds to make any
 3 payments necessary to obtain the assessment or to comply with the driver safety
 4 plan.

5 SECTION 5g. 303.08 (1) (cg) of the statutes is created to read:

6 303.08 (1) (cg) Attendance at an assessment ordered by a court under s. 343.30
 7 (1q) (c);

8 SECTION 5m. 303.08 (1) (cm) of the statutes is created to read:

9 303.08 (1) (cm) Attendance at a treatment program required by a driver safety
 10 plan under s. 343.30 (1q) (c);

11 SECTION 5r. 303.08 (10m) of the statutes is created to read:

12 303.08 (10m) The sheriff may not permit a prisoner who is imprisoned for a
 13 violation of 346.63 (1), (2), (5) or (6) to leave the jail under sub. (1) if the prisoner fails
 14 to obtain the assessment or to comply with the driver safety plan ordered under s.
 15 343.30 (1q) (c). This subsection does not apply if the prisoner does not have sufficient
 16 funds to make any payments necessary to obtain the assessment or to comply with
 17 the driver safety plan."

18 (END)