

**1999 DRAFTING REQUEST****Assembly Amendment (AA-AB380)**Received: **08/10/1999**Received By: **nelsorp1**Wanted: **As time permits**

Identical to LRB:

For: **Scott Walker (608) 266-9180**

By/Representing:

This file may be shown to any legislator: **NO**Drafter: **nelsorp1**

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Subject: **Courts - courts/judges**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Powers of full-time court commissioners

**Instructions:**

Use 99-0341 as an amendment to AB 380

**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>
/?	nelsorp1 08/13/1999	gilfokm 08/13/1999		_____			
/1			martykr 08/17/1999	_____	lrb_docadmin 08/17/1999	lrb_docadmin 08/17/1999	

FE Sent For:

&lt;END&gt;

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FE Sent For:

<END>

0559/1

SOON

1999 BILL

Assembly Am.

to Assembly Bill 380

Amend the bill as follows:

1 AN ACT to create 757.69 (1) (bm) of the statutes; relating to: the powers of  
2 full-time court commissioners.

**Analysis by the Legislative Reference Bureau**

Under current law, court commissioners, with the approval of the chief judge, may issue summonses, arrest warrants or search warrants, conduct initial appearances and set bail. A full-time court commissioner, with the approval of the chief judge, may conduct the preliminary examination and arraignment in a criminal case and accept a guilty plea if both the state and the defendant agree.

Under the bill, a full-time court commissioner in any county with a population of 500,000 or more, with the approval of the chief judge, may sentence the defendant in misdemeanor cases if there is a stipulation between the state and the defendant. In addition, the court commissioner may review probation revocation hearings in misdemeanor cases. Any sentence imposed by the court commissioner is subject to review by a judge if either party requests court review within 15 days after the sentence is imposed.

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

- 3 SECTION 757.69 (1) (bm) of the statutes is created to read: basis
- 4 757.69 (1) (bm) If <sup>employed on a</sup> ~~the court commissioner is~~ a full-time court commissioner in
- 5 a county having a population of 500,000 or more;

✓ H. Page 41, line 5: after that line insert:

**BILL**

**SECTION 1**

1           1. Sentence the defendant in misdemeanor cases if there is a stipulation as to  
2 the sentence between the state and the defendant. A sentence imposed under this  
3 subdivision is subject to review by a judge if the state or the defendant moves for  
4 review of the sentence within 15 days after imposition of the sentence.

5           2. Review probation revocation hearings in misdemeanor cases. " .

~~**Section 2. Initial applicability.**~~

~~(1) This act first applies to violations committed on the effective date of this  
subsection.~~

(END)