

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

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JEO:jlg:km

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This amendment inserts a reference to s. 943.10 (2), stats., (aggravated burglary) into s. 938.355 (4) (b), stats. Section 938.355 (4) (b), stats., sets certain time period requirements for serious juvenile offender (SJO) dispositional orders. Currently, the statute requires an SJO dispositional order to apply for five years if the juvenile was adjudicated delinquent for a Class B felony. Because aggravated battery is a Class B felony, this five-year SJO dispositional order requirement applies.

AB-465 amends s. 938.355 (4) (b), stats., to say that Class B *and C* felonies are subject to the five-year SJO dispositional order requirement. However, AB-465 also makes aggravated burglary into a Class *E* felony. Thus, under the bill as drafted aggravated burglary would no longer be covered by the five-year SJO dispositional order requirement.

The criminal penalties study committee did not intend to exclude aggravated battery from the five-year SJO dispositional order requirement (or to make any other change to the operation of the SJO statutes). By inserting a reference to aggravated battery into s. 938.355 (4) (b), stats., this amendment maintains the current treatment of juveniles subject to an SJO dispositional order for committing an aggravated battery.

Please let me know if you have any questions.

Jefren E. Olsen  
Senior Legislative Attorney  
Phone: (608) 266-8906  
E-mail: Jefren.Olsen@legis.state.wi.us