

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB465)

Received: **09/22/1999**

Received By: **olsenje**

Wanted: **Today**

Identical to LRB:

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

By/Representing: **Kent**

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

Drafter: **olsenje**

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Subject: **Criminal Law - miscellaneous**

Extra Copies: **MGD**

Pre Topic:

No specific pre topic given

Topic:

Technical

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 09/22/1999	jgeller 09/22/1999	martykr 09/22/1999	_____	lrb_docadmin 09/22/1999	lrb_docadmin 09/22/1999	

FE Sent For:

<END>

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0644/1

JEO: n:...

Today D-Note

JG

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 465

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

2 1. Page 85, line 19: after "delinquent" insert "for committing a violation of s.
3 943.10 (2) or".

4 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0644/1dn

JEO:.....



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.

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