

1999 DRAFTING REQUEST

Bill

Received: 1 1/13/98

Received By: nelsorpl

Wanted: As time permits

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing:

This file may be shown to any legislator: NO

Drafter: nelsorpl

May Contact:

Alt. Drafters:

Subject: Drunk Driving - penalties

Extra Copies:

Topic:

Penalties for permitting a person whose operating privilege is revoked to drive

Instructions:

Same as 97-0135

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>
I?	nelsorp 1 12/1/98	jgeller 12/1/98		_____			
/1			martykr 12/2/98	_____	lrb_docadmin 12/2/98	lrb_docadmin 12/7/98	

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **11/13/98**

Received By: **nelsorpl**

Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**

By/Representing:

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

Drafter: **nelsorpl**

May Contact:

Alt. Drafters:

Subject: **Drunk Driving - penalties**

Extra Copies:

Topic:

Penalties for permitting a person whose operating privilege is revoked to drive

Instructions:

Same as 97-0135

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>
/?	nelsorp 1 12/1/98	jgeller 12/1/98		_____			
/1			martykr 12/2/98	_____	lrb_docadmin 12/2/98		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: 1 1/13/98

Received By: nelsorpl

Wanted: As time permits

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing:

This file may be shown to any legislator: NO

Drafter: nelsorpl

May Contact:

Alt. Drafters:

Subject: **Drunk Driving - penalties**

Extra Copies:

Topic:

Penalties for permitting a person whose operating privilege is revoked to drive

Instructions:

Same as 97-0135

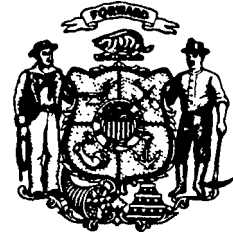
Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reauired</u>
1/?	nelsorpl	11/12/98 jig	Km 12/2	JF 12/2 Km 12/2			

FE Sent For:

<END>

State Representative Spencer Black



State Capitol
P.O. Box 8952
Madison, WI 53708
(608) 266-7521

To: Peter Dykman, Chief of Legislative Reference Bureau

From: Representative Spencer Black

Date: November 11, 1998

Re: Redrafts of 1997 Assembly Bills for the upcoming 1999-2000 legislative session.

Please redraft the following 1997 Assembly Bills (as is) for the upcoming session:

AI3 13

AB 166

AB 405

AB 407

AB 434

AB 598

AB 822

AB 823

AB 834

AB 835

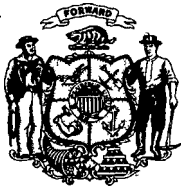
AB 945

Please redraft the following 1997 Assembly Bills with simple modifications as listed below:

AB 7 1: Redraft the bill to include only sections 1,2,3.

AB 393: In section 1 of the bill, change the cross reference s.59.971(1m) on page 1, line 5, to read s.59.692(1m).

AB 367: Redraft the bill to include Assembly Substitute Amendment 1 to 1997 Assembly Bill 367



0858/1
LRB-0858/1
RPN: [unclear]
↑
jlg

1997 ASSEMBLY BILL 405

June 4, 1997 - Introduced by Representatives BLACK, ALBERS, NOTESTEIN, LA FAVE, OTT and OTTE, cosponsored by Senator ROESSLER. Referred to Committee on Highways and Transportation.

Regen

1 **AN ACT** to amend 343.45 (3); and **to create** 343.45 (3m) of the statutes; **relating**
2 **to:** permitting persons who have their operating privilege suspended or
3 revoked to operate a motor vehicle and providing penalties.

Analysis by the Legislative Reference Bureau

Present law prohibits a person from authorizing or permitting the operation of his or her motor vehicle by another person if that other person is not authorized to operate a motor vehicle. The present penalty for a violation is a forfeiture of not more than \$100. This bill creates ^{two} ~~2~~ new penalties for that violation if the person authorizing or permitting the operation of his or her motor vehicle by another knew or should have known that the other person was not allowed to operate a motor vehicle because the other person had one or more prior violations of operating a motor vehicle while under the influence of an intoxicant or ~~drugs or a combination~~ ^{five} of an intoxicant and drugs. For the first conviction within a ~~5~~ ^{ten}-year period, the penalty is a fine of not less than \$150 nor more than \$300 or imprisonment for not more than ~~10~~ ^{ten} days or both. For a ~~2nd~~ ^{second} or subsequent conviction within a ~~5~~ ^{five}-year period, the penalty is a fine of not less than \$300 nor more than \$1,000 and imprisonment for not less than ~~5~~ ^{five} days nor more than 30 days.

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

SECTION 1. 343.45 (3) of the statutes is amended to read:

PROOF W/STATS.
4

ASSEMBLY BILL 405

PROOF W/STATS

1 343.45 (3) Except as ~~another penalty is~~ provided by under sub. (3m) or s.
2 343.245 (4) (b), any person violating this section may be required to forfeit not more
3 than \$100.

4 **SECTION 2.** 343.45 (3m) [✓] of the statutes is created to read:

5 343.45 **(3m)** Any person who authorized or permitted another to operate a
6 motor vehicle in violation of sub. (2) [✓], who knew or should have known that the person
7 who was authorized or permitted to operate a motor vehicle had his or her operating
8 privilege suspended or revoked as the result of a conviction, suspension or revocation
9 that would be counted under s. 343.307 (2) [✓], is subject to the following penalties:

10 (a) For the first conviction within % years, a fine of not less than \$150 [✓] nor more
11 than \$300 or imprisonment for not more than [✓] 10 days or both.

12 (b) For a 2nd or subsequent conviction within [✓] 5 years, a fine of not less than
13 \$300 nor more than \$1,000 and imprisonment for not less than 5 days nor more than
14 30 days.

15 **SECTION 3. Initial applicability.**

16 (1) This act first applies to offenses committed on the effective date of this
17 subsection [✓], but does not preclude the counting of other violations as prior violations
18 for purposes of sentencing.

19 (END) [✓]

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 12/2/98

To: Representative Black

Relating to LRB drafting number: LIB-0858

Topic

Penalties for permitting a person whose operating privilege is revoked to drive

Subject(s)

Drunk Driving - penalties

1. **JACKET** the draft for introduction _____



in the Senate ___ **or the Assembly** (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney
Telephone: (608) 267-75 11