

**1999 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-SB237)**

Received: **11/08/1999**

Received By: **olsenje**

Wanted: **Today**

Identical to LRB:

For: **Gary George (608) 266-2500**

By/Representing: **Dan**

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

Drafter: **olsenje**

May Contact:

Alt. Drafters: **mdsida**

Subject: **Criminal Law - sentencing**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Modification of sentences

**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 11/08/1999	chanaman 11/08/1999	mclark 11/08/1999	_____	lrb_docadmin 11/08/1999	lrb_docadmin 11/08/1999	

FE Sent For:

<END>

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/1	olsenje	<i>cmw</i> <i>11/8</i>	<i>MRC</i> <i>11/8</i>	<i>MRC/JF</i> <i>11/8</i>			
FE Sent For:		<i>11/8</i>					

<END>



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBa0984/1  
JEO&MGD:.....

Today

cmH

SENATE AMENDMENT ,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 1999 SENATE BILL 237

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 75, line 25: after that line insert:

3 "SECTION 204m. 758.19 (8) of the statutes is created to read:

4 758.19 (8) By July 1, 2000, the director of state courts shall promulgate rules  
5 that establish a procedure by which a sentencing court may modify a bifurcated  
6 sentence under s. 973.01 (7m) and that specify the factors that a court may consider  
7 when deciding whether to modify a bifurcated sentence. The rules shall provide that  
8 a court may modify a bifurcated sentence under s. 973.01 (7m) on its own motion, on  
9 a motion of the department of corrections or on a motion of the person serving the  
10 sentence. The rules shall also provide that a court and the department of corrections  
11 may make a motion to modify a bifurcated sentence at any time and that a person  
12 serving a bifurcated sentence may make a motion to modify the bifurcated sentence

1 that he or she is serving if at least 12 months have elapsed since the bifurcated  
2 sentence was imposed or since the most recent motion to modify the person's  
3 bifurcated sentence was made.".

4 **2.** Page 175, line 25: after that line insert:

5 "SECTION 753g. 973.01 (7m) of the statutes is created to read:

6 973.01 (7m) MODIFICATION OF BIFURCATED SENTENCE. A court may at any time  
7 modify a bifurcated sentence that the court previously imposed by reducing the term  
8 of confinement in prison portion of the sentence and lengthening the term of  
9 extended supervision imposed so that the total length of the bifurcated sentence  
10 originally imposed does not change. A proceeding to modify a bifurcated sentence  
11 under this subsection shall be conducted using the procedure established and the  
12 factors specified by the director of state courts under s. 758.19 (8).".

13 (END)