

1999 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-SB362)

Received: **03/30/2000**

Received By: **mdsida**

Wanted: **Today**

Identical to LRB:

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

By/Representing: **Missy**

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

Drafter: **mdsida**

May Contact:

Alt. Drafters:

Subject: **Criminal Law - miscellaneous
Legislature - miscellaneous**

Extra Copies: **jeo**

Pre Topic:

No specific pre topic given

Topic:

Joint review committee on criminal penalties

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>
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ASSEMBLY
~~SENATE~~ SUBSTITUTE AMENDMENT,
TO 1999 SENATE BILL 362

now

regen car
1 AN ACT *to create* 13.525 of the statutes; relating to: review of criminal penalties
2 bills.

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

- 3 SECTION 1. 13.525 of the statutes is created to read:
- 4 **13.525 Joint review committee on criminal penalties. (1) CREATION.**
- 5 There is created a joint review committee on criminal penalties composed of the
- 6 following members:
- 7 (a) One majority party member and one minority party member from each
- 8 house of the legislature, appointed as are the members of standing committees in
- 9 their respective houses.
- 10 (b) The attorney general or his or her designee.
- 11 (c) The secretary of corrections or his or her designee.

1 (d) The state public defender or his or her designee.

2 (e) A reserve judge who resides in the 1st, 2nd, 3rd, 4th or 5th judicial
3 administrative district and a reserve judge who resides in the 6th, 7th, 8th, 9th or
4 10th judicial administrative district, appointed by the supreme court.

5 (f) Two members of the public appointed by the governor, one of whom shall
6 have law enforcement experience in this state and one of whom shall be an elected
7 county official.

8 (2) OFFICERS. The majority party senator and the majority party representative
9 to the assembly shall be cochairpersons of the committee. The committee shall elect
10 a secretary from among its nonlegislator members.

11 (3) JUDICIAL AND GUBERNATORIAL APPOINTEES. Members appointed under sub. (1)
12 (e) or (f) shall serve at the pleasure of the authority appointing them.

13 (4) ELIGIBILITY. A member shall cease to be a member upon losing the status
14 upon which the appointment is based. Membership on the committee shall not be
15 incompatible with any other public office.

16 (5) REVIEW OF LEGISLATION RELATING TO CRIMES. (a) If any bill that is introduced
17 in either house of the legislature proposes to create a new crime or revise a penalty
18 for an existing crime and the bill is referred to a standing committee of the house in
19 which it is introduced, the chairperson may request the joint review committee to
20 prepare a report on the bill under par. (b). If the bill is not referred to a standing
21 committee, the speaker of the assembly, if the bill is introduced in the assembly, or
22 the presiding officer of the senate, if the bill is introduced in the senate, may request
23 the joint review committee to prepare a report on the bill under par. (b).

1 (b) If the joint review committee receives a request under par. (a) for a report
2 on a bill that proposes to create a new crime or revise a penalty for an existing crime,
3 the committee shall prepare a report concerning all of the following:

4 1. The costs that are likely to be incurred or saved by the department of
5 corrections, the department of justice, the state public defender, the courts, district
6 attorneys and other state and local government agencies if the bill is enacted.

7 2. The consistency of penalties proposed in the bill with existing criminal
8 penalties.

9 3. Alternative language needed, if any, to conform penalties proposed in the bill
10 to penalties in existing criminal statutes.

11 4. Whether acts prohibited under the bill are prohibited under existing
12 criminal statutes.

13 (c) The chief clerk shall print a report prepared by the committee under par.
14 (b) as an appendix to the bill and attach it thereto as are amendments. The
15 reproduction shall be in lieu of inclusion in the daily journal of the house in which
16 the proposal is introduced.

17 (d) If a bill that is introduced in either house of the legislature proposes to create
18 a new crime or revise a penalty for an existing crime, a standing committee to which
19 the bill is referred may not vote on whether to recommend the bill for passage and
20 the bill may not be passed by the house in which it is introduced before the joint
21 review committee submits a report under par. (b) or before the 30th day after a report
22 is requested under par. (a), whichever is earlier.

23 (6) COMMITTEE POWERS AND PROCEDURES. The committee may hold hearings as
24 needed to elicit information for making a report. The committee shall meet at the