

2001 DRAFTING REQUEST**Assembly Amendment (AA-AB3)**

Received: 01/25/2001

Received By: rryan

Wanted: As time permits

Identical to LRB:

For: Tony Staskunas (608) 266-0620

By/Representing: Adrienne Ramirez

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Alt. Drafters:

Subject: Criminal Law - sentencing

Extra Copies: MGD

Pre Topic:

No specific pre topic given

Topic:

Grant sentencing court the authority to order drug treatment, paid for by DOC, as a condition of probation or extended supervision

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	rryan 01/25/2001	csicilia 01/30/2001	kfollet 01/30/2001	_____	lrb_docadmin 01/30/2001	lrb_docadmin 01/30/2001	

FE Sent For:

<END>

2001 DRAFTING REQUEST

Assembly Amendment (AA-AB3)

Received: 01/25/2001

Received By: rryan

Wanted: As time permits

Identical to LRB:

For: Tony Staskunas (608) 266-0620

By/Representing: Adrienne Ramirez

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Alt. Drafters:

Subject: Criminal Law - sentencing

Extra Copies: MGD

Pre Topic:

No specific pre topic given

Topic:

Grant sentencing court the authority to order drug treatment, paid for by DOC, as a condition of probation or extended supervision

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	rryan		kjf 1/30	kjf/self 1/30			

FE Sent For:

<END>

Dsida, Michael

From: Dsida, Michael
Sent: Thursday, January 25, 2001 10:19 AM
To: Ramirez, Adrienne
Subject: RE: Amendments to AB 3

I assume that you want the amendments to follow the approach taken in ASA1 to AB3 (Rep. Colon's sub). If you want us to take a different approach, please let me know.

Mike Dsida
Legislative Reference Bureau
608/266-9867
michael.dsida@legis.state.wi.us

> -----Original Message-----

> **From:** Ramirez, Adrienne
> **Sent:** Thursday, January 25, 2001 10:05 AM
> **To:** Dsida, Michael
> **Subject:** Amendments to AB 3

>

> Michael-

> Rep. Staskunas has amendment drafts to AB 3 that he
> would like you to write.

>

> 2. The court is given the ability, after June 30, 2000, to
> order, as a condition of probation, a person placed on
> probation for any offense, or if the person is sentenced,
> while in prison or as a condition of extended supervision, to
> participate in a drug treatment program. A court may also
> order Corrections to pay for any ordered drug treatment.

>

> These provisions are outlined in a February 11, 2000
> Fiscal Bureau memo pertaining to 1999 SB 357. I am faxing to
> you the Table of Contents and the page containing these provisions.

>

> Please contact me if you have any questions regarding this
> drafting request.

>

> Thank you for your assistance.

>

> Adrienne Ramirez
> Office of Rep. Tony Staskunas
> 6-0620



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa0046/1

RLR:Y.....

wanted: 1/30/01
TODAY

cjs

ASSEMBLY AMENDMENT,
TO 2001 ASSEMBLY BILL 3

~~By Hartzel~~

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 61, line 6: after that line insert:
- 3 "SECTION 153m. 302.113 (3) (a) (intro.) of the statutes is amended to read:
- 4 302.113 (3) (a) (intro.) The warden or superintendent shall keep a record of the
- 5 conduct of each inmate subject to this section, specifying each infraction of the rules.
- 6 If an inmate subject to this section violates an order under s. 973.031 requiring him
- 7 or her to participate in a drug treatment program, violates any regulation of the
- 8 prison or refuses or neglects to perform required or assigned duties, the department
- 9 may extend the term of confinement in prison portion of the inmate's bifurcated
- 10 sentence as follows:".
- 11 History: 1997 a. 283.
- 12 2. Page 70, line 7: after that line insert:
- "SECTION 167m. 302.114 (3) (a) (intro.) of the statutes is amended to read:

1 302.114 (3) (a) (intro.) The warden or superintendent shall keep a record of the
2 conduct of each inmate subject to this section, specifying each infraction of the rules.
3 If any an inmate subject to this section violates an order under s. 973.031 requiring
4 him or her to participate in a drug treatment program, violates any regulation of the
5 prison or refuses or neglects to perform required or assigned duties, the department
6 may extend the extended supervision eligibility date set under s. 973.014 (1g) (a) 1.
7 or 2., whichever is applicable, as follows.” ✓

History: 1997 a. 283.

8 **3.** Page 74, line 15: after that line insert:

9 / **“SECTION 181m.** 302.43 of the statutes is amended to read:

10 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
11 in the amount of one-fourth of his or her term for good behavior if sentenced to at
12 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
13 for time served prior to sentencing under s. 973.155, including good time under s.
14 973.155 (4). An inmate who violates an order under s. 973.031 requiring him or her
15 to participate in a drug treatment program, violates any law or any regulation of the
16 jail, or neglects or refuses to perform any duty lawfully required of him or her, may
17 be deprived by the sheriff of good time under this section, except that the sheriff shall
18 not deprive the inmate of more than 2 days good time for any one offense without the
19 approval of the court. An inmate who files an action or special proceeding, including
20 a petition for a common law writ of certiorari, to which s. 807.15 applies shall be
21 deprived of the number of days of good time specified in the court order prepared
22 under s. 807.15 (3).” ✓

History: 1977 c. 353; 1989 a. 31 s. 1667; Stats. 1989 s. 302.43; 1997 a. 133. ✓

23 **4.** Page 189, line 15: after that line insert:

24 / **“SECTION 806m.** 973.01 (5) of the statutes is amended to read:

1 973.01 (5) OTHER EXTENDED SUPERVISION CONDITIONS. Whenever the court
2 imposes a bifurcated sentence under sub. (1), the court may impose conditions upon
3 the term of extended supervision, including drug treatment under s. 973.031."

History: 1997 a. 283.

4 5. Page 195, line 21: after that line insert:

5 ✓ "SECTION 811m. 973.031 of the statutes is created to read:

6 973.031 **Court-ordered drug treatment.** When the court imposes a
7 sentence or places a person on probation for any offense committed on or after the
8 effective date of this section [revisor inserts date], the court may order the person
9 to participate in a drug treatment program as a condition of probation or, in the case
10 of a person sentenced under s. 973.01, while the person is in prison or as a condition
11 of extended supervision or both. The court may order the department to pay for the
12 cost of drug treatment under this section from the appropriation under s. 20.410 (1)
13 (a) for persons in jail or prison or under s. 20.410 (1) (b) for persons on probation or
14 extended supervision."

15 6. Page 196, line 4: after that line insert:

16 ✓ "SECTION 813m. 973.09 (6) of the statutes is created to read:

17 973.09 (6) The court may require as a condition of probation that the person
18 participate in a drug treatment program under s. 973.031."

19 7. Page 207, line 6: after "973.01 (2) (b) 5.," insert "973.01 (5)."

20 8. Page 207, line 17: substitute "973.017, and 973.09 (6)" for "and 973.017".

21 9. Page 213, line 9: after "(2) (b) 5.," insert "973.01 (5)."

22 10. Page 213, line 22: after "973.017," insert "973.031, 973.09 (6)."

23

(END)