

## 2001 ASSEMBLY BILL 683

December 17, 2001 – Introduced by Representatives STONE, MONTGOMERY, ALBERS, BERCEAU, J. FITZGERALD, GUNDERSON, HINES, KRAWCZYK, LEIBHAM, LOEFFELHOLZ, D. MEYER, PLALE, STARZYK, STASKUNAS, TOWNSEND, TURNER, URBAN, VRAKAS, WALKER and WIECKERT, cosponsored by Senators DARLING, HARSDFORF and ROESSLER. Referred to Committee on Highway Safety.

1     **AN ACT** *to amend* 346.65 (2) (e) of the statutes; **relating to:** driving while under  
2     the influence of an intoxicant and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the penalties that a person is subject to for the offense of driving while under the influence of an intoxicant (OWI) depend on the number of OWI-related convictions, suspensions, or revocations that were imposed on the person during the previous ten-year period. Currently, if a person is convicted of an OWI-related offense and he or she has four or more prior OWI-related convictions, suspensions, or revocations within the past ten years, the person is subject to imprisonment for not less than six months nor more than five years, in addition to a fine, and having his or her vehicle seized or immobilized and his or her motor vehicle operating privilege revoked for two to three years. This bill increases the minimum period of imprisonment from six months to one year.

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

3     **SECTION 1.** 346.65 (2) (e) of the statutes is amended to read:  
4     346.65 **(2)** (e) Except as provided in pars. (f) and (g), shall be fined not less than  
5     \$600 nor more than \$2,000 and imprisoned for not less than ~~6 months~~ one year nor

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1 more than 5 years if the number of convictions under ss. 940.09 (1) and 940.25 in the  
2 person's lifetime, plus the total number of suspensions, revocations and other  
3 convictions counted under s. 343.307 (1), equals 5 or more, except that suspensions,  
4 revocations or convictions arising out of the same incident or occurrence shall be  
5 counted as one.

6 **SECTION 2. Initial applicability.**

7 (1) This act first applies to violations committed on the effective date of this  
8 subsection, but does not preclude the counting of other convictions, suspensions, or  
9 revocations as prior convictions, suspensions, or revocations for purposes of  
10 administrative action by the department of transportation, sentencing by a court, or  
11 revocation or suspension of motor vehicle operating privileges.

12 (END)