

**2001 DRAFTING REQUEST**

**Bill**

Received: **05/21/2001**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Jeff Stone (608) 266-8590**

By/Representing:

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

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Drunk Driving - penalties**

Extra Copies: **TNF, ARG**

Submit via email: **NO**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Penalties for fifth time OWI

---

**Instructions:**

Mandate a minimum 1 year imprisonment for 5th offense OWI

---

**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	phurley 05/29/2001	jdye 05/29/2001	pgreensl 05/30/2001	_____	lrb_docadmin 05/30/2001	lrb_docadmin 11/21/2001	

FE Sent For: *None needed*

<END>

**2001 DRAFTING REQUEST**

**Bill**

Received: 05/21/2001

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Jeff Stone (608) 266-8590

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: **Drunk Driving - penalties**

Extra Copies: **TNF, ARG**

Submit via email: NO

Requester's email:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Penalties for fifth time OWI

---

**Instructions:**

Mandate a minimum 1 year imprisonment for 5th offense OWI

---

**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	phurley 05/29/2001	jdye 05/29/2001	pgreensl 05/30/2001		lrb_docadmin 05/30/2001		

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: 05/21/2001

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Jeff Stone (608) 266-8590

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Alt. Drafters:

Subject: Drunk Driving - penalties

Extra Copies: TNF, ARG

Pre Topic:

No specific pre topic given

Topic:

Penalties for fifth time OWI

Instructions:

Mandate a minimum 1 year imprisonment for 5th offense OWI

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/?	phurley	1 5/21 jld	5/30 pg	5/30 Self			

FE Sent For:

<END>



800-728-7788

[www.wisbar.org/cle/seminars/](http://www.wisbar.org/cle/seminars/)

5-21-01

1 year minimum 5 year max for  
5th offense OWI

Jeff Stone

change only this penalty 346.65(2)(e)

Check if MGP or RLP @ 1 year sentences - does it  
need to be more than 1 year?

5-23-01

H/c to Jeff Stone - delayed eff date? No, rep  
says - immediate eff. date.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-3334/1

PJH:.....

Jld

2001 BILL

Sid 4.0

gen

1 AN ACT <sup>gen</sup> relating to driving while under the influence of an intoxicant and  
2 providing a penalty. ✓

*Analysis by the Legislative Reference Bureau*

Under current law, the penalties that <sup>a</sup>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 <sup>10</sup>10-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 <sup>10</sup>10 years, the person is subject to imprisonment for not less than six months nor more than five years, in addition to a fine <sup>2</sup>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 <sup>1</sup>year.

*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

**BILL**

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.

History: 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109.

**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)**

**Emery, Lynn**

---

**From:** Emery, Lynn

**Sent:** Tuesday, November 13, 2001 4:25 PM

**To:** Rep.Stone

**Subject:** LRB-3334/1 (attached as requested)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)  
(E-Mail: [lynn.emery@legis.state.wi.us](mailto:lynn.emery@legis.state.wi.us)) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703

11/13/2001

**Emery, Lynn**

---

**From:** Rep.Stone  
**Sent:** Wednesday, November 21, 2001 2:24 PM  
**To:** \*Legislative Reference Bureau  
**Subject:** jacketing request

Please jacket LRB 3334/1 for Rep. Jeff Stone

Thank you,

Tami Rongstad  
Office of Rep. Jeff Stone