

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0709/1dn
MGD:jld:km

February 2, 2001

Rep. LaFave:

1. Under 1999 Assembly Bill 699, as amended, the prohibition on the possession of body armor would have applied to a person who had been convicted of a violent offense at any time, including before the bill's effective date. But the prohibition would not have applied to a person who had been adjudicated delinquent based on the commission of a violent offense before the bill's effective date. In drafting this bill, I have treated persons who have been found delinquent in the same way as a person who has been convicted. In other words, a delinquency adjudication that is based on a violent felony and that occurs before the bill's effective date renders a person ineligible to possess body armor (unless one of the exceptions applies). Is that change okay?
2. The definition of "violent felony" in Assembly Amendment 2 included assaults by prisoners under s. 946.43. That section has since been amended to create a new crime -- throwing or expelling bodily substances by a prisoner -- but I did not change the cross-reference to exclude the new crime from the list of crimes considered violent felonies. If you want to exclude it, please let me know.

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