

2003 DRAFTING REQUEST

Assembly Amendment (AA-SB214)

Received: **11/05/2003**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Ryan**

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

Drafter: **chanaman**

May Contact:

Addl. Drafters: **mdsida
rnelson2**

Subject: **Criminal Law - guns and weapons**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Surcharge for any conviction

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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/1			rschluet 11/05/2003		mbarman 11/05/2003	mbarman 11/05/2003	

FE Sent For:

<END>

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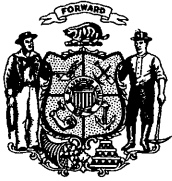
See Attached

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/?	chanaman	11/11/03 11/15/03					

FE Sent For:

115307
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State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa1728/7
CMH&M&D:
RPN

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY AMENDMENT,
TO 2003 SENATE BILL 214

Rm
not
use

Now

engrossed

1 At the locations indicated, amend the bill as follows:

2 1. Page 48, line 8: after that line insert:

3 "(17m) CONCEALED WEAPON SURCHARGE. (a) If a licensee is convicted of a
4 misdemeanor or a felony, the ^{circuit} court shall impose a concealed weapon surcharge of
5 \$200. If a licensee is convicted of multiple offenses, a separate concealed weapon
6 surcharge shall be imposed for each separate offense.

the surcharge

7 (b) After the clerk of ^{circuit} court determines the total amount due, the clerk shall
8 collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The
9 county treasurer shall then transmit the surcharge to the county that issued the
10 license under this section.

collected

amount collected

that issued the license under this section

g

1 ok ~~(c)~~ The treasurer of the county ~~the~~ receives the money under par. (b) shall
2 distribute 50 percent to the sheriff of that county and 50 percent to the clerk of circuit
3 courts of ^{of} the county ~~to reimburse them~~ for the costs incurred under this section.”

they

4 **2.** Page 52, line 19: after that line insert:

5 “SECTION 28g. 814.60 (2) (at) of the statutes is created to read:

6 814.60 (2) (at) The concealed weapon surcharge imposed by s. 175.50 (17m).

7 SECTION 28i. 814.63 (3) (at) of the statutes is created to read:

8 814.63 (3) (at) The concealed weapon surcharge imposed by s. 175.50 (17m).”.

9 **3.** Page 60, line 20: after that line insert:

10 “SECTION 56g. 973.05 (1) and (2) of the statutes are amended to read:

11 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
12 permission for the payment of the fine, the penalty assessment imposed by s. 757.05,
13 the jail assessment imposed by s. 302.46 (1), the crime victim and witness assistance
14 surcharge under s. 973.045, the crime laboratories and drug law enforcement
15 assessment imposed by s. 165.755, any applicable deoxyribonucleic acid analysis
16 surcharge under s. 973.046, any applicable drug abuse program improvement
17 surcharge imposed by s. 961.41 (5), any applicable consumer protection assessment
18 imposed by s. 100.261, any applicable domestic abuse assessment imposed by s.
19 971.37 (1m) (c) 1. or 973.055, any applicable driver improvement surcharge imposed
20 by s. 346.655, any applicable truck driver education assessment imposed by s.
21 349.04, any applicable enforcement assessment imposed by s. 253.06 (4) (c), any
22 applicable weapons assessment imposed by s. 167.31, any applicable uninsured
23 employer assessment imposed by s. 102.85 (4), any applicable environmental
24 assessment imposed by s. 299.93, any applicable wild animal protection assessment

imposed by s. 175.50 (17m)

1 imposed by s. 29.983, any applicable natural resources assessment imposed by s.
2 29.987 or 169.46 (1), and any applicable natural resources restitution payment
3 imposed by s. 29.989 or 169.46 (2), and any concealed weapon surcharge to be made
4 within a period not to exceed 60 days. If no such permission is embodied in the
5 sentence, the fine, the penalty assessment, the jail assessment, the crime victim and
6 witness assistance surcharge, the crime laboratories and drug law enforcement
7 assessment, any applicable deoxyribonucleic acid analysis surcharge, any applicable
8 drug abuse program improvement surcharge, any applicable consumer protection
9 assessment, any applicable domestic abuse assessment, any applicable driver
10 improvement surcharge, any applicable truck driver education assessment, any
11 applicable enforcement assessment, any applicable weapons assessment, any
12 applicable uninsured employer assessment, any applicable environmental
13 assessment, any applicable wild animal protection assessment, any applicable
14 natural resources assessment, and any applicable natural resources restitution
15 payment, and any applicable concealed weapon surcharge shall be payable
16 immediately.

17 (2) When a defendant is sentenced to pay a fine and is also placed on probation,
18 the court may make the payment of the fine, the penalty assessment, the jail
19 assessment, the crime victim and witness assistance surcharge, the crime
20 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
21 acid analysis surcharge, any applicable drug abuse program improvement
22 surcharge, any applicable consumer protection assessment, any applicable domestic
23 abuse assessment, any applicable uninsured employer assessment, any applicable
24 driver improvement surcharge, any applicable truck driver education assessment,
25 any applicable enforcement assessment under s. 253.06 (4) (c), any applicable

1 weapons assessment, any applicable environmental assessment, any applicable wild
2 animal protection assessment, any applicable natural resources assessment, and
3 any applicable natural resources restitution payments, and any applicable concealed
4 weapon surcharge a condition of probation. When the payments are made a
5 condition of probation by the court, payments thereon shall be applied first to
6 payment of the penalty assessment until paid in full, shall then be applied to the
7 payment of the jail assessment until paid in full, shall then be applied to the payment
8 of part A of the crime victim and witness assistance surcharge until paid in full, shall
9 then be applied to part B of the crime victim and witness assistance surcharge until
10 paid in full, shall then be applied to the crime laboratories and drug law enforcement
11 assessment until paid in full, shall then be applied to the deoxyribonucleic acid
12 analysis surcharge until paid in full, shall then be applied to the drug abuse
13 improvement surcharge until paid in full, shall then be applied to the concealed
14 weapons ^e ~~surcharge~~ ^r until paid in full, shall then be applied to payment of the driver
15 improvement surcharge until paid in full, shall then be applied to the truck driver
16 education assessment if applicable until paid in full, shall then be applied to
17 payment of the domestic abuse assessment until paid in full, shall then be applied
18 to payment of the consumer protection assessment until paid in full, shall then be
19 applied to payment of the natural resources assessment if applicable until paid in
20 full, shall then be applied to payment of the natural resources restitution payment
21 until paid in full, shall then be applied to the payment of the environmental
22 assessment if applicable until paid in full, shall then be applied to the payment of the
23 wild animal protection assessment if applicable until paid in full, shall then be
24 applied to payment of the weapons assessment until paid in full, shall then be
25 applied to payment of the uninsured employer assessment until paid in full, shall

1 then be applied to payment of the enforcement assessment under s. 253.06 (4) (c), if
2 applicable, until paid in full, and shall then be applied to payment of the fine.

3 **SECTION 56i.** 973.07 of the statutes is amended to read:

4 **973.07 Failure to pay fine or costs or to comply with certain**
5 **community service work.** If the fine, costs, penalty assessment, jail assessment,
6 crime victim and witness assistance surcharge, crime laboratories and drug law
7 enforcement assessment, applicable deoxyribonucleic acid analysis surcharge,
8 applicable drug abuse program improvement surcharge, applicable consumer
9 protection assessment, applicable domestic abuse assessment, applicable driver
10 improvement surcharge, applicable truck driver education assessment, applicable
11 enforcement assessment under s. 253.06 (4) (c), applicable weapons assessment,
12 applicable uninsured employer assessment, applicable environmental assessment,
13 applicable wild animal protection assessment, applicable natural resources
14 assessment, ~~and~~ applicable natural resources restitution payments ^{and applicable concealed} are not paid or ^{weapons}
15 community service work under s. 943.017 (3) is not completed as required by the ^{surcharge}
16 sentence, the defendant may be committed to the county jail until the fine, costs,
17 penalty assessment, jail assessment, crime victim and witness assistance surcharge,
18 crime laboratories and drug law enforcement assessment, applicable
19 deoxyribonucleic acid analysis surcharge, applicable drug abuse program
20 improvement surcharge, applicable consumer protection assessment, applicable
21 domestic abuse assessment, applicable driver improvement surcharge, applicable
22 truck driver education assessment, applicable enforcement assessment under s.
23 253.06 (4) (c), applicable weapons assessment, applicable uninsured employer
24 assessment, applicable environmental assessment, applicable wild animal
25 protection assessment, applicable natural resources assessment or, applicable

1 natural resources restitution payments, or applicable concealed weapon surcharges
2 are paid or discharged, or the community service work under s. 943.017 (3) is
3 completed, for a period fixed by the court not to exceed 6 months.”

4 . (END)