

**BILL HISTORY FOR ASSEMBLY BILL 120 (LRB -2014)**

An Act to renumber and amend 973.033 and 973.034; and to create 302.117, 973.09 (4m) and 973.176 of the statutes; relating to: notice regarding ineligibility to vote.

2003

03-05. A. Introduced by Representatives Freese, Gunderson, M. Lehman, Bies, Vrakas, Hines, Ladwig, Hahn, Stone, Ott, Kestell, Albers, Kreibich and F. Lasee; cosponsored by Senators S. Fitzgerald, Stepp and Schultz.

03-05. A. Read first time and referred to committee on Campaigns and Elections ..... 91

03-06. A. Public hearing held.

03-06. A. Executive action taken.

03-10. A. Report passage recommended by committee on Campaigns and Elections, Ayes 6, Noes 0 ..... 97

03-10. A. Referred to calendar ..... 97

03-12. A. Read a second time ..... 111

03-12. A. Ordered to a third reading ..... 111

03-12. A. Rules suspended ..... 111

03-12. A. Read a third time and passed, Ayes 96, Noes 0, Paired 2 ..... 111

03-12. A. Ordered immediately messaged ..... 111

03-13. S. Received from Assembly ..... 118

03-13. S. Read first time and referred to committee on Education, Ethics and Elections ..... 118

09-10. S. Public hearing held.

09-17. S. Executive action taken.

09-17. S. Report introduction and adoption of Senate Amendment 1 recommended by committee on Education, Ethics and Elections, Ayes 7, Noes 0 (LRB a0920) ..... 366

09-17. S. Report concurrence as amended recommended by committee on Education, Ethics and Elections, Ayes 7, Noes 0 ..... 366

09-17. S. Available for scheduling.

10-21. S. Placed on calendar 10-23-2003 by committee on Senate Organization.

10-23. S. Read a second time ..... 436

10-23. S. Senator Moore added as a cosponsor ..... 436

10-23. S. Senate amendment 1 adopted ..... 436

10-23. S. Ordered to a third reading ..... 436

10-23. S. Refused to suspend the rules, Ayes 18, Noes 14 ..... 436

10-23. S. Vote by which Senate refused to suspend the rules reconsidered ..... 444

10-23. S. Rules suspended ..... 444

10-23. S. Read a third time and concurred in as amended ..... 444

10-23. S. Ordered immediately messaged ..... 445

2004

01-05. A. Received from Senate amended and concurred in as amended (Senate amendment 1 adopted) ..... 591

01-05. A. Referred to committee on Rules ..... 591

01-21. A. Placed on calendar 1-27-2004 by committee on Rules.

01-27. A. Senate amendment 1 concurred in ..... 646

01-27. A. Action ordered immediately messaged ..... 646

2003  
ENROLLED BILL

03en AB-120

ADOPTED DOCUMENTS:

Orig     Engr         SubAmdt     

03 - 2014 / 1

Amendments to above (if none, write "NONE"): SAI

Corrections - show date (if none, write "NONE"): none

Topic relax claim

1/28/04  
Date

[Signature]  
Enrolling Drafter

ELECTRONIC PROCEDURE:

Follow automatic or manual enrolling procedures in *TEXT2000 Reference Guide*, Document Specific Procedures, Ch. 20, Engrossing and Enrolling

DISTRIBUTION:

HOUSE OF ORIGIN:

- 11 copies plus bill jacket
- Secretary of State's envelope containing 4 copies plus newspaper notice

REVISOR OF STATUTES:

- 5 copies

DEPARTMENT OF ADMINISTRATION:

- 2 copies

LRB:

- Drafting file ..... original
- Drafting attorney ..... 1 copy
- Legislative editors ..... 1 copy each
- Reference section ..... 1 copy
- Bill index librarian ..... 1 copy

## 2003 ASSEMBLY BILL 120

March 5, 2003 - Introduced by Representatives FREESE, GUNDERSON, M. LEHMAN, BIES, VRAKAS, HINES, LADWIG, HAHN, STONE, OTT, KESTELL, ALBERS, KREIBICH and F. LASEE, cosponsored by Senators S. FITZGERALD, STEPP and SCHULTZ. Referred to Committee on Campaigns and Elections.

1 AN ACT *to renumber and amend* 973.033 and 973.034; and *to create* 302.117,  
2 973.09 (4m) and 973.176 of the statutes; **relating to:** notice regarding  
3 ineligibility to vote. *1-3* (SAC)

### *Analysis by the Legislative Reference Bureau*

Current law requires a court to provide a defendant certain information at sentencing. For example, when a court sentences a person or places a person on probation for a felony, the court must inform the person that he or she is prohibited from possessing a firearm. Under this bill, whenever a court imposes a sentence or places a person on probation for a conviction that disqualifies the person from voting, the court must inform the person of that disqualification. The bill also requires the Department of Corrections to inform the person of the disqualification to vote if the person is or has been placed on probation or released to parole or extended supervision.

*(SAC)*  
*1-4*  
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows: *lh. ✓*

4 SECTION 302.117 of the statutes is created to read:  
5 **302.117 Notice regarding ineligibility to vote.** When an inmate who is  
6 disqualified from voting under s. 6.03 (1) (b) is released to parole or extended

ASSEMBLY BILL 120

2-2



1 supervision, the department shall inform the person that he or she may not vote in  
2 any election until his or her civil rights are restored.

3 SECTION 2. 973.033 of the statutes is renumbered 973.176 (1), and 973.176 (1)  
4 (title), as renumbered, is amended to read:

5 973.176 (1) (title) ~~SENTENCING; RESTRICTION ON FIREARM~~ FIREARM POSSESSION.

6 SECTION 3. 973.034 of the statutes is renumbered 973.176 (3), and 973.176 (3)  
7 (title), as renumbered, is amended to read:

8 973.176 (3) (title) ~~SENTENCING; RESTRICTION ON CHILD~~ CHILD SEX OFFENDER  
9 WORKING WITH CHILDREN.

10 SECTION 4. 973.09 (4m) of the statutes is created to read:

11 973.09 (4m) The department shall inform each probationer who is disqualified  
12 from voting under s. 6.03 (1) (b) that he or she may not vote in any election until his  
13 or her civil rights are restored.

14 SECTION 5. 973.176 of the statutes is created to read:

15 **973.176 Notice of restrictions.**

16 (2) VOTING. Whenever a court imposes a sentence or places a defendant on  
17 probation for a conviction that disqualifies the defendant from voting under s. 6.03  
18 (1) (b), the court shall inform the defendant that he or she may not vote in any election  
19 until his or her civil rights are restored.

20 **SECTION 6. Nonstatutory provisions.**

21 (1) No later than the first day of the 6th month beginning after publication, the  
22 department of corrections shall inform each person who is on probation, parole, or  
23 extended supervision on that date and who is disqualified from voting under section  
24 6.03 (1) (b) of the statutes that he or she may not vote in any election until his or her  
25 civil rights are restored.

**ASSEMBLY BILL 120****SECTION 7. Initial applicability.**

1           **SECTION 7. Initial applicability.**  
2           (1) NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PAROLE OR EXTENDED  
3 SUPERVISION. The treatment of section 302.117 of the statutes first applies to persons  
4 whom the department of corrections releases to parole or extended supervision on  
5 the effective date of this subsection.

6           (2) NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PROBATION. The  
7 treatment of section 973.09 (4m) of the statutes first applies to persons whom the  
8 court places on probation on the effective date of this subsection.

9           (3) NOTIFICATION AT SENTENCING REGARDING INELIGIBILITY TO VOTE. The treatment  
10 of sections 973.033 and 973.034 of the statutes and the creation of section 973.176  
11 of the statutes first apply to persons whom the court sentences on the effective date  
12 of this subsection.

13           **SECTION 8. Effective date.** This act takes effect on the day after publication,  
14 except as follows:

15           (1) The treatment of sections 302.117, 973.033, 973.034, and 973.09 (4m) of the  
16 statutes, the creation of section 973.176 of the statutes, and SECTION 7, (1), (2), and  
17 (3) of this act take effect on the first day of the 3rd month beginning after publication.

18

(END)

**SENATE AMENDMENT 1,  
TO 2003 ASSEMBLY BILL 120**

September 17, 2003 - Offered by COMMITTEE ON EDUCATION, ETHICS AND ELECTIONS.

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

2 ✓ 1. Page 1, line 3: after "vote" insert %, resumed eligibility to vote, and notice  
3 1-3 regarding resumed eligibility to vote".

4 ✓ 2. Page 1, line 4: before that line insert:

5 "SECTION 1d. 6.03 (1) (b) of the statutes is amended to read:

6 ✓ 6.03 (1) (b) Any person convicted of treason, felony or bribery, unless the  
7 1-4 person's civil rights are right to vote is restored through a pardon or under s. 304.078  
8 (3)."

9 ✓ 3. Page 1, line 4: delete "SECTION 1" and substitute "SECTION 1h".

10 ✓ 4. Page 2, line 2: after that line insert:

11 "SECTION 1n. 304.078 (title) of the statutes is amended to read:

12 304.078 (title) Civil Restoration of civil rights restored to of convicted  
13 persons satisfying sentence.

2-2



2-2  
cont

1           **SECTION 1p.** 304.078 of the statutes is renumbered 304.078 (2) and amended  
2 to read:

3           304.078 (2) ~~Every~~ Except as provided in sub. (3), every person who is convicted  
4 of a crime obtains a restoration of his or her civil rights by serving out his or her term  
5 of imprisonment or otherwise satisfying his or her sentence. The certificate of the  
6 department or other responsible supervising agency that a convicted person has  
7 served his or her sentence or otherwise satisfied the judgment against him or her is  
8 evidence of that fact and that the person is restored to his or her civil rights. The  
9 department or other agency shall list in the person's certificate rights which have  
10 been restored and which have not been restored. Persons who served out their terms  
11 of imprisonment or otherwise satisfied their sentences prior to August 14, 1947, are  
12 likewise restored to their civil rights from and after September 25, 1959.

13           **SECTION 1r.** 304.078 (1) of the statutes is created to read:

14           304.078 (1) In this section:

15           (a) "Imprisonment" includes parole and extended supervision.

16           (b) "Jailer" has the meaning given in s. 302.372 (1) (b).

17           **SECTION 1t.** 304.078 (3) of the statutes is created to read:

18           304.078 (3) If a person is disqualified from voting under s. 6.03 (1) (b), his or  
19 her right to vote is restored when he or she completes the term of imprisonment or  
20 probation for the crime that led to the disqualification. The department or, if the  
21 person is sentenced to a county jail or house of correction, the jailer shall inform the  
22 person in writing at the time his or her right to vote is restored under this  
23 subsection."