

BILL HISTORY FOR SENATE BILL 131 (LRB -2181)

An Act to amend 971.14 (4) (a) of the statutes; relating to: access for sheriffs and jailers to reports regarding the competency of criminal defendants. (FE)

2003

05-05 . S.	Introduced by Senators Leibham, Cowles, Kanavas and Roessler; cosponsored by Representatives J. Fitzgerald, LeMahieu, Suder, Hines, Albers, Ladwig, Owens, Townsend, McCormick, Olsen, Seratti, Krawczyk, Bies, Gunderson, Ott, Staskunas, Stone, Van Roy, Friske, Hundertmark, Huber and Grothman.	
05-05 . S.	Read first time and referred to committee on Judiciary, Corrections and Privacy	162
05-06 . S.	Fiscal estimate received.	
05-06 . S.	Fiscal estimate received.	
06-10 . S.	Public hearing held.	
06-10 . S.	Executive action taken.	
06-12 . S.	Report passage recommended by committee on Judiciary, Corrections and Privacy, Ayes 5, Noes 0	220
06-12 . S.	Available for scheduling.	
06-23 . S.	Placed on calendar 6-24-2003 by committee on Senate Organization.	
06-24 . S.	Read a second time	250
06-24 . S.	Ordered to a third reading	250
06-24 . S.	Rules suspended	250
06-24 . S.	Read a third time and passed	250
06-24 . S.	Ordered immediately messaged	250
06-27 . A.	Received from Senate	293
06-27 . A.	Read first time and referred to committee on Corrections and the Courts	294
09-10 . A.	Public hearing held.	
10-08 . A.	Executive action taken.	
11-13 . A.	Report concurrence recommended by committee on Corrections and the Courts, Ayes 10, Noes 0	536
11-13 . A.	Referred to committee on Rules	536

2004

01-15 . A.	Placed on calendar 1-20-2004 by committee on Rules.	
01-20 . A.	Read a second time	625
01-20 . A.	Ordered to a third reading	625
01-20 . A.	Rules suspended	625
01-20 . A.	Read a third time and concurred in	625
01-20 . A.	Ordered immediately messaged	625
01-21 . S.	Received from Assembly concurred in.	

**2003
ENROLLED BILL**

03en S B-131

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

03-218/12

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

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

Topic relax care

1/21/04 [Signature]
Date Enrolling Drafter

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2003 SENATE BILL 131

May 5, 2003 – Introduced by Senators LEIBHAM, COWLES, KANAVAS and ROESSLER, cosponsored by Representatives J. FITZGERALD, LEMAHIEU, SUDER, HINES, ALBERS, LADWIG, OWENS, TOWNSEND, MCCORMICK, OLSEN, SERATTI, KRAWCZYK, BIES, GUNDERSON, OTT, STASKUNAS, STONE, VAN ROY, FRISKE, HUNDERTMARK, HUBER and GROTHMAN. Referred to Committee on Judiciary, Corrections and Privacy.

- 1 **AN ACT to amend 971.14 (4) (a) of the statutes; relating to: access for sheriffs**
2 **and jailers to reports regarding the competency of criminal defendants.**

Analysis by the Legislative Reference Bureau

Under current law, a person may not be tried, convicted, or sentenced for the commission of a crime if the person lacks substantial mental capacity to understand the proceedings or assist in his or her own defense. If a court has reason to doubt a defendant's competency, the court appoints an expert to examine and report on the defendant's condition. The expert's report is distributed to the court, the district attorney, and the defendant or his or her attorney. The report may not be otherwise disclosed prior to a hearing on the issue of the defendant's competency.

This bill provides that, upon the request of the sheriff or jailer charged with care and control of a jail in which a defendant is being held pending or during a trial or sentencing proceeding, a copy of the competency examination report regarding the defendant shall be distributed to the sheriff or jailer. The bill also allows the sheriff or jailer to provide a copy of the report to certain other persons involved in the provision of health care to jail inmates.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

SENATE BILL 131

1 **SECTION 1.** 971.14 (4) (a) of the statutes is amended to read:

2 971.14 (4) (a) The court shall cause copies of the report to be delivered forthwith
3 to the district attorney and the defense counsel, or the defendant personally if not
4 represented by counsel. Upon the request of the sheriff or jailer charged with care
5 and control of the jail in which the defendant is being held pending or during a trial
6 or sentencing proceeding, the court shall cause a copy of the report to be delivered
7 to the sheriff or jailer. The sheriff or jailer may provide a copy of the report to the
8 person who is responsible for maintaining medical records for inmates of the jail, or
9 to a nurse licensed under ch. 441, or to a physician or physician assistant licensed
10 under subch. II of ch. 448 who is a health care provider for the defendant or who is
11 responsible for providing health care services to inmates of the jail. The report shall
12 not be otherwise disclosed prior to the hearing under this subsection.

13

(END)