

2003 DRAFTING REQUEST

Bill

Received: 11/06/2002

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: Scott Suder (608) 267-0280

By/Representing: Anne

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Addl. Drafters:

Subject: Criminal Law - miscellaneous

Extra Copies: rlr

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Writing bad checks

Instructions:

Change felony-misdemeanor threshold to \$1500

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>
/P1	mdsida 11/15/2002	jdyer 11/20/2002					S&L
/1			pgreensl 11/20/2002		amentkow 11/20/2002 mbarman 11/26/2002	amentkow 11/26/2002	S&L

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

→ At
Intro.

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FE Sent For:

1 11/20 js

11/20 ps

11/20

<END>
~~ps~~

ps/aph

P/c to Anne Emerson

BB Told her that other crimes also went from
\$1000 → \$2500

She is membered ~~to~~ last session's graffiti
bill

She will talk to her boss + let me know what
she want to do

11/13

P/c from Anne

Go ahead + draft.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0619/P1

MGD:.....

2003 BILL

Handwritten initials and circled number 1

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen

1 AN ACT ...; relating to: writing bad checks and providing a penalty. ✓

Analysis by the Legislative Reference Bureau

Current law prohibits ^{a person from} issuing a check ^{Plain} ~~intending that the check~~ ^{will} not be paid. If a person violates this prohibition and the check is for \$2,500 or less, the person is guilty of a Class A misdemeanor and may be fined not more than \$10,000 or imprisoned for not more than nine months or both. If the violation occurs on or after February 1, 2003, and the check is for more than \$2,500, the person is guilty of a Class I felony and may be fined not more than \$10,000 or imprisoned for not more than three and ^{one} half years or both. The same penalties apply if the person violated the prohibition on or after February 1, 2003, by issuing more than one worthless check within a 15-day period and the checks are for more than \$2,500 in the aggregate.

This bill decreases the dollar threshold separating felony violations from misdemeanor violations from \$2,500 to \$1,500.

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:

2 SECTION 1. 943.24 (1) [✓] of the statutes is amended to read:

1 943.24 (1) Whoever issues any check or other order for the payment of not more
 2 than ~~\$2,500~~ \$1,500 which, at the time of issuance, he or she intends shall not be paid
 3 is guilty of a Class A misdemeanor.

History: 1977 c. 173; 1985 a. 179; 1987 a. 398; 1991 a. 39, 40; 1993 a. 71; 2001 a. 16, 109.

4 **SECTION 2.** 943.24 (2) of the statutes, as affected by 2001 Wisconsin Act 109,
 5 is amended to read:

6 943.24 (2) Whoever issues any single check or other order for the payment of
 7 more than ~~\$2,500~~ \$1,500 or whoever within a 15-day period issues more than one
 8 check or other order amounting in the aggregate to more than ~~\$2,500~~ \$1,500 which,
 9 at the time of issuance, the person intends shall not be paid is guilty of a Class I
 10 felony.

NOTE: NOTE: Sub. (2) is shown as amended eff. 2-1-03 by 2001 Wis. Act 109. Prior to 2-1-03 it reads: NOTE:

(2) Whoever issues any single check or other order for the payment of more than \$2,500 or whoever within a 15-day period issues more than one check or other order amounting in the aggregate to more than \$2,500 which, at the time of issuance, the person intends shall not be paid is guilty of a Class E felony.

History: 1977 c. 173; 1985 a. 179; 1987 a. 398; 1991 a. 39, 40; 1993 a. 71; 2001 a. 16, 109.

SECTION 3. Effective date.

14 (1) This act takes effect on February 1, 2003, or on the day after publication,
 15 whichever is later.

(END)

Barman, Mike

From: Emerson, Anne
Sent: Tuesday, November 26, 2002 9:08 AM
To: Barman, Mike
Subject: RE: Bill Drafts

Thanks Mike!

I was able to OK them by going into his mailbox from my computer. Unfortunately there were several others that he deleted as well. If you would be so kind to resubmit those to his Rep. box, I will OK those also. He knows I can access them now, so he won't delete them in the future. Let me know if you have any questions.

The others are as follows:
LRB 0660 - bomb threats in schools
LRB 0675 - gaming compacts
LRB 0735 - rideshare program
LRB 0619 - bad check writing

Thanks again!
Anne

-----Original Message-----

From: Barman, Mike
Sent: Tuesday, November 26, 2002 8:03 AM
To: Rep.Suder; Emerson, Anne
Cc: Dykman, Peter
Subject: RE: Bill Drafts

I will re-submit the four drafts to you (Rep.Suder) ... let me know if you have any problems.
Thanks,

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

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

-----Original Message-----

From: Dykman, Peter
Sent: Monday, November 25, 2002 5:21 PM
To: Emerson, Anne; Barman, Mike
Subject: RE: Bill Drafts

I am forwarding this to the Mike Barman, of the LRB program assistants, in regard to jacketing and I will redraft the other one.

I don't know, but maybe the macros aren't set up yet for 2003 drafts, something that Mike Barman should know if he doesn't know.

Mike will respond to that question.

-----Original Message-----

From: Emerson, Anne
Sent: Monday, November 25, 2002 4:26 PM
To: Dykman, Peter
Subject: Bill Drafts

Peter,

I had Scott look over the drafts that you sent over and we just have one minor change. Also, he was unable to enable macros to ok the drafts for jacket and deleted the files without responding. I do have the draft that was paged over, but if you prefer to do it via the internet, you can resend it and I will be sure to get it okayed. I can access his e-mail and do it and he knows not to delete the drafts in the future. Otherwise here is the info:

LRB 0708-re: elimination of the legislative hotline - We would like to delete lins 8-19 on Page 2, the area that deals

with state maps.

LRB 0704 - 2/3 majority to raise taxes - OK to jacket

LRB 0706 - SS# on fishing license-OK to jacket

LRB 0705 - flag desecration - OK to jacket

LRB 0707 - offices of Sec. of State & Treasurer - OK to jacket

If you have any questions, please do not hesitate to contact me.

Thank you!

Anne Emerson
Office of Representative Suder

Mentkowski, Annie

From: Emerson, Anne
Sent: Tuesday, November 26, 2002 11:14 AM
To: LRB.Legal
Subject: Draft review: LRB-0619/1 Topic: Writing bad checks

It has been requested by <Emerson, Anne> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-0619/1 Topic: Writing bad checks