

2003 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB306)

Received: **08/08/2003**

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:

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>
/?	mdsida 08/15/2003	jdye 08/18/2003		_____			
/1			rschluet 08/18/2003	_____	lemery 08/18/2003	lemery 08/18/2003	

FE Sent For:

<END>

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8-18-3
54
<END>

FE Sent For:

Dsida, Michael

From: Emerson, Anne
Sent: Friday, August 08, 2003 9:14 AM
To: Dsida, Michael
Cc: Suder, Scott
Subject: Amendment for AB 306

Mike,

We have another amendment request for AB 306. Currently we have the bill so it would lower the threshold to \$1,500. We would like to get rid of that and instead of lowering the threshold we would like to change the number of days that the checks accumulate from 15 days to 90 days.

Let me know what type of amendment would be best.

Thanks!

Anne

50143/1

ASA to
AB-306

stays

2003 ASSEMBLY BILL 306

May 1, 2003 - Introduced by Representatives SUDER, ALBERS, BIES, GUNDERSON, HAHN, LADWIG, LEMAHIEU, MUSSEY, OLSEN, OWENS, SERATTI, TOWNSEND, VAN ROY, WEBER and ZIEGELBAUER, cosponsored by Senators WELCH, KANAVAS, REYNOLDS, ROESSLER, SCHULTZ and STEPP. Referred to Committee on Criminal Justice.

Regen

In General,

1 AN ACT to amend 943.24 (1) and 943.24 (2) of the statutes; relating to: writing
2 bad checks and providing a penalty

in the county jail ✓

Analysis by the Legislative Reference Bureau

if

Current law prohibits a person from issuing a check, which he or she intends 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. ~~With 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 A~~ ~~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 violates 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.~~

make

But if he for she issues

INS A ✓

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:

3 SECTION 1. 943.24 (1) of the statutes is amended to read:

INS B ✓

ASSEMBLY BILL 306

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.

4 **SECTION 2.** 943.24 (2) ^{xx} 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 ^{PLAIN} ~~\$2,500~~ ~~\$1,500~~ or whoever within a ^{90-day ✓} ~~15-day~~ period issues more than one
 8 check or other order amounting in the aggregate to more than ^{PLAIN} ~~\$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.

11 **SECTION 3. Effective date.**

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

14 (END)



2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0143/1
MGD:.....

1

INSERT A


2

 sentenced to a term of imprisonment (consisting of a term of confinement in
3 state prison followed by a term of extended supervision) of up to 

4

INSERT b

5

 This ~~bill~~ ^{substitute amendment} changes the time period during which the face value of bad checks may
6 be aggregated, for the purpose of determining whether the person has committed a
7 felony, from 15 days to 90 days.