

2007 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB578)

Received: 12/04/2007

Received By: rryan

Wanted: As time permits

Identical to LRB:

For: Terry Musser (608) 266-7461

By/Representing: Marlene Reineking

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Addl. Drafters:

Subject: Criminal Law - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Musser@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Restitution for theft of objects related to veterans from cemetery

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>
/?							
/1	rryan 12/05/2007	kfollett 12/06/2007	nmatzke 12/06/2007	_____	lparisi 12/06/2007	lparisi 12/06/2007	

FE Sent For:

<END>

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/?	rryan	1/16/07 12/6	nwn 12/6	nwn 12/6			

FE Sent For:

<END>

Ryan, Robin

From: Reineking, Marlene
Sent: Tuesday, December 04, 2007 11:22 AM
To: Ryan, Robin
Subject: AB 578 MUSSER AMENDMENT REQUEST

Hi Robin,

Can you draft an amendment or Sub to AB 578 ... Was LRB 3278/3... and change the wording "may require" to "shall require"

Thanks

Marlene

Marlene Reineking, Committee Clerk
Office of Rep. Terry Musser
1-888-534-0092

12/5/07

S0191

Call to marlene

Want to first apply to persons who commit crime on effective date or to persons sentenced on effective date (latter works provided that courts don't see restitution as a penalty)

go with persons sentenced on effective date



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBs0191/2
RLR:...

In 12/5/07 Soon

Handwritten initials

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2007 ASSEMBLY BILL 578

RMR

Gen

Substitute amendment

1 AN ACT ...; relating to: restitution for misappropriation from a cemetery of
2 certain objects that relate to a veteran.

Analysis by the Legislative Reference Bureau

Under current law, a court generally must order a person who is convicted of a crime to pay restitution to any victim of the crime unless the court finds substantial reason not to order restitution. This bill specifies that a court must require a person who is convicted of misappropriating, from a cemetery, an object that indicates that a deceased was a veteran, to reimburse the cost of replacing the object.

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

3 SECTION 1. 973.20 (15) of the statutes is created to read:
4 973.20 (15) If misappropriation, from a cemetery, of an object that indicates
5 that a deceased was a veteran, as described in s. 45.001, is a crime considered at

1 sentencing, the restitution order shall require that the defendant reimburse an
2 individual, organization, or governmental entity for the cost of replacing the object.

3 **SECTION 2. Initial applicability.**

4 (1) This act first applies to restitution orders made on the effective date of this
5 subsection.

6 (END)