

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4097/P1dn

PJH:nwn:md

January 29, 2010

Representative Suder:

Please review this preliminary draft to ensure that it is consistent with your intent. This draft is based on Assembly Amendment 25 to Assembly Substitute Amendment 1 to 2009 Assembly Bill 75 and seeks to reverse the changes to sentencing and early release that were passed in 2009 Act 28. In general terms, if Act 28 added text to a statute, this draft deletes that text and if Act 28 deleted text, this draft adds it back into the statutes. This draft deletes statutory sections that were created by Act 28 and recreates statutory sections that were repealed by Act 28.

Under this draft, the changes will first apply to persons sentenced on, petitions for release that are submitted on, and revocations of extended supervision that occur on, the effective date of the draft. I did not include an effective date; please let me know if you would like to have one added to the draft.

There are some people who have been sentenced, revoked, or have filed for release under the Act 28 provisions. I created s. 301.03 (3v) of the statutes to require the Department of Corrections to promulgate rules to review the release or revocation of people who are sentenced or revoked or who qualify for early release between the effective date of Act 28 (October 1, 2009) and the effective date of this draft.

Please let me know if you have any other questions or concerns.

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