



# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 05/25/2011 (Per: CMH)

- A ☞ The 2011 drafting file for LRBa1119
- B ☞ The 2011 drafting file for LRBa1120
- C ☞ The 2011 drafting file for LRBa1122
- D ☞ The 2011 drafting file for LRBa1123
- E ☞ The 2011 drafting file for LRBa1125
- F ☞ The 2011 drafting file for LRBa1126
- G ☞ The 2011 drafting file for LRBa1134
- H ☞ The 2011 drafting file for LRBa1135
- I ☞ The 2011 drafting file for LRBa1136
- J ☞ The 2011 drafting file for LRBa1138
- K ☞ The 2011 drafting file for LRBa1140
- L ☞ The 2011 drafting file for LRBa1141

☞ Compile Draft – Appendix A

has been copied/added to the drafting file for

**2011 LRBa1146**  
**(SA1–SSA1–SB93)**

**2011 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-SB93)**

Received: 05/23/2011

Received By: chanaman

Wanted: As time permits

Companion to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Julie Landrie

May Contact:

Drafter: chanaman

Subject: Criminal Law - guns and weapons

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Erpenbach@legis.wisconsin.gov

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Increase penalty for intoxicated use

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**Instructions:**

See attached

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**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	chanaman 05/24/2011	wjackson 05/24/2011	mduchek 05/24/2011	_____	mbarman 05/24/2011	mbarman 05/24/2011	

FE Sent For:

<END>

2011 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB93)

Received: 05/23/2011

Received By: chanaman

Wanted: As time permits

Companion to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Sarah Briganti

*Julie  
Laundree*

May Contact:

Drafter: chanaman

Subject: Criminal Law - guns and weapons

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Erpenbach@legis.wisconsin.gov

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/1	chanaman	1 wj 5/24	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>		
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FE Sent For:

<END>

**Hanaman, Cathlene**

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**From:** Laundrie, Julie  
**Sent:** Tuesday, May 24, 2011 10:42 AM  
**To:** Hanaman, Cathlene  
**Subject:** RE:

Well I just doubled back with the Senator and he would like to change it to first offense misdemeanor – 2<sup>nd</sup> offence a felony

Let me know if this is not clear.

Julie

**Julie Laundrie**  
**Office of Senator Jon Erpenbach**  
**608-266-6670 106 South**  
**media contact cell 608-772-0110**

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**From:** Hanaman, Cathlene  
**Sent:** Tuesday, May 24, 2011 10:35 AM  
**To:** Laundrie, Julie  
**Subject:**

Just confirming that I received your amendment request. No more info is needed.

-Cathlene



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa1119/1  
CMH:/.....

Wlj

LPS  
please fix  
request  
sheet

SENATE AMENDMENT,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2011 SENATE BILL 93

WED

1 At the locations indicated, amend the substitute amendment as follows:

2 **√1.** Page 28, line 22: after that line insert:

3 "SECTION 55p. 939.632 (1) (e) 1. of the statutes is amended to read:

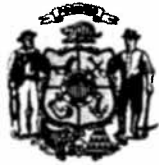
4 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09  
5 (1c), 940.19 (2), (4) or (5), 940.20(1h), 940.21, 940.225 (1), (2) or (3), 940.235, 940.305,  
6 940.31, 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1)  
7 or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.051, 948.055, 948.07, 948.08, 948.085,  
8 or 948.30 (2) or under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies."

History: 1995 h. 22; 2001 a. 109; 2005 a. 277; 2007 a. 116, 127; 2009 a. 180, 302.

9 **√2.** Page 28, line 25: after that line insert:

10 "SECTION 56g. 941.20 (1) (b) and (bm) of the statutes are amended to read:





State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa1119/1  
CMH:wlj:ph

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TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2011 SENATE BILL 93

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6 940.31, 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1)  
7 or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.051, 948.055, 948.07, 948.08, 948.085,  
8 or 948.30 (2) or under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.”.

9 **2.** Page 28, line 25: after that line insert:

10 “SECTION 56g. 941.20 (1) (b) and (bm) of the statutes are amended to read:

11 941.20 (1) (b) ~~Operates~~ Except as provided in sub. (1h), operates or goes armed  
12 with a firearm while he or she is under the influence of an intoxicant; ~~or,~~

1           ~~Operates~~ Except as provided in sub. (1h), operates or goes armed with a  
2 firearm while he or she has a detectable amount of a restricted controlled substance  
3 in his or her blood. A defendant has a defense to any action under this paragraph  
4 that is based on the defendant allegedly having a detectable amount of  
5 methamphetamine, gamma-hydroxybutyric acid, or delta-9-tetrahydrocannabinol  
6 in his or her blood, if he or she proves by a preponderance of the evidence that at the  
7 time of the incident or occurrence he or she had a valid prescription for  
8 methamphetamine or one of its metabolic precursors, gamma-hydroxybutyric acid,  
9 or delta-9-tetrahydrocannabinol.

10           **SECTION 56r.** 941.20 (1h) of the statutes is created to read:

11           941.20 (1h) Whoever violates sub. (1) (b) or (bm) as a 2nd or subsequent offense  
12 is guilty of a Class I felony.”.

13

(END)